Class B'

File No. PWD 63 LBW 64

MYSORE GOVERNMENT SECRETARIAT

Notes & Correspondence / Collection

Department PWD Section Special Irrigation

Subject :— ~~Draft~~ Mysore Irrigation Act bill 1965
Draft Irrigation rules Publication in Gazette

Earlier References :—

Later References :—

I-7030

(Classification A / B / C)

13-5-64
10-2-66

Notes pages.....26.....
Correspondence pages.....160.....
For/Not for Section note Book
To be deatroyed after.....

for Under Secretary to Government.

Mysore Government Secretariat | File No. of 196 . | [App. F. III 2

Serial No.

1) I would like to have the files relating to Draft Rules under (1) Irrigation Act and (2) Levy of Betterment and Water Rate.

PWD 311/ID/SPL/64

Chandra Patel
13/5
CHANDRA PATEL,
Secy., P.W. & Elecy. Depts.

13/5/64

2) Files regarding the draft rules relating to (1) Levy of Betterment Contribution (PWD 11 LBW 63) and (2) Water rate (PWD 47 GIB 59), have been obtained from the Law Department and are placed below.

3) Regarding Irrigation Act., it is submitted that no draft rules are framed and the Irrigation Bill itself is not passed. The draft Rules will be framed only after the Legislature passes the Irrigation Bill. The file relating to the Irrigation Bill (PWD 27 LBW 63) is also placed below.

For perusal
13/5/64

D.S.)

Secretary. P.W.D)
13/5/64.

4) PWS 3466 ... 1964 ... & ELEC. DEPT.

PWD files No. PWD 47 GIB 59 and PWD 11 LBW 63 have been sent to the Law Secy. to-day.

Supdtg Engr. Spl. Irrgn.) 14/5/64

For information of PWS (Spl)
14/5/64

Sir IV
Kaet Anderson Sr

14/5/64

Note.—Contn. Sheet

2

File No. of 196 .

Mysore Government Secretariat

Serial No.	
(6)	Draft is put up as instructed by the Under Secretary. Govt. Pers Sgl Rm 8/9/1964. Meanwhile, rules will be framed here. 14 8/9/64 DS(I)
7	Issue & pursue 14 8/9/64 Issued. 10/9/64
(8)	
(9)	Issued and put up with reference to Para 8 of supra. 13/9/64. P.: pursue & issue timely reminders. 14 D. 15/9/64
(10)	
11	

WD-010154-GPB-PZS-5,00,000-1-10-61

p.s. to app.

Serial No.

11) D.O. Reminder is put up for approval

30/12/64.

30/12

30/12/64

13)

ISSUED
Dated.....
2-1-65

14) The Chief Engineer (B) and the Chief Engineer (P) may be reminded on the matter. Draft D.O. Reminder is put up for approval

17/1/65

11/1

17/1/65

ISSUED
Dated. 18th Jan 1965

18) Reports called for from the Chief Engineer (B) and the Chief Engineer (P) Bangalore is still awaited. They may be reminded on the matter. Draft D.O. Reminder is put up for approval.

29/1/65.

p.s. to

Note.—Contn. Sheet

File No. ORE 63/16-17 of 196

Mysore Government Secretariat

Serial No.

19) Replies are due from the Executive Engineers and from the Superintending Engineers. They have not furnished. Letters will be issued. Also some more information is to be called for from the 2 Circles and C.E.

20) Hence D.O. is put up for approval which will be issued shortly after the replies are received.

21) As the immediate action is also taken to draft the rules at the level.

(Copy on file)
A.S.O.
22/1

Sd/-

CE(I.P) and EE(GL) has been addressed to frame rules for the Irrigation act and repeatedly reminded, but so far no response, hence a draft D.O. addressed to them is put up at Page 13 of the CF which may be issued under the Signature of the Secy.

Secy. P.W.D)

VCT-016154-GPB—PZS—8,00,000—1-00-00

Note Continuation Sheet

Subject .....

File No. PND 63 CBS 64

WD 614999—GPB—8,00,000—5-12-64

Reference and markings	Notes and Orders.	Para Numbers

26)

1. The draft may issue.
2. We have a specific item on this purpose. So it will be possible to frame some draft on the basis of rules obtaining in Chandigarh & other adjoining states with suitable modifications?

CH
4/2/65

DSW
8/2/65

Issued
Dated 9-2-65
MG

PWD 486 SP/65 9-3-1965

27)

orders of Secretary Irrgn PWD

B/F 10-4-1965

9/d.
CH. 7/3/65
Secretary Irrgn. PWD

Stitching space

6

Subject: Draft Mysore Irrigation (Amdt) Bill 1965 - Framing of Draft Rules thereunder

File No. PWD 13 LSG 64.

Reply from the Chief Engineer (P) Bangalore may be awaited. Thus file will be submitted again on 9-4-1965 with reference as per orders of the Secretary PWD at page 14 c/f.

11/3/65

12/3

Under Minister's signature

p. 15) c/f).

Secretary (P) to the Minister's signature.

27/3

30)

31) Receipt of instructions from the C.E.(P), who has been pleased to examine the draft rules and to suggest the proforma in which the proposals may be moved.

32) The draft rules is put up for approval which may be moved under the signature of the Secretary.

27/4/65 33) Secy

29.4.65

34) For perusal of the draft D.O reminder to CE(GL) and CE(IP) regarding draft rules to the Irrigation bill (Act) recently passed by both the Houses of Legislature and awaiting the assent of Governor.

Secy. P. 15D) 35)

4/5/65

Secy approved

Secy to Govt. P.W.D.

Stitching space

FINANCE & ELEC. DEPTT. 29 36 1 MAY 1965 SECRETARY TO GOVT.

Subject..... Draft Mysore Irrigation Bill 1865 — File No. PWD 63 Bill 64
— Framing of Draft Rules, Secretariat

Reference and markings	Notes and Orders.	Para Numbers

as per instructions in para 47 above for perusal and useful action.

Seen P. WD)

10/8/65

M. CHANNAPPA,
Dy. Secy. to Govt. P.W.D. (Irrgn.)

SECRETARY TO GOVERNMENT
No. PWS 51 63.
11 AUG 1965
PUBLIC WORKS & ELEC. DEPT.

11/8 (52)

ISSUED
Dated. 12/8/65

Sri N. P. please give explanation thereof 11/8

The explanation given by Sri Narayan Asst is placed at page 23 c. 7 in Secretariat. Ref. para 47 ante.

17/8/65 — 18/8/65 (53)

(54)

DS (I) The Care worker ought to have had the discretion in dealing with papers and to attend to them on the merit of each case. Mere to plead personal inabilities will not improve matter. Even after reporting for duty he should have issued reminder on top-priority. It is very unfortunate that personal matter weigh more with this Care worker than Govt work. Important matters are set aside and unimportant things dealt in a routine manner. This should be avoided in future. Let another reminder to CE to go under the Secretary's

Stitching space

(C)

Note Continuation Sheet

Subject ~~Draft Irrigation Rules~~

File No. [illegible]

WD C14899—GPB—6,00,000—5-12-64

Reference and markings	Notes and Orders.	Para Numbers

Signature be put up to-day.

PM 25/8/65

(55)

~~Draft~~ D.O reminder is put up for approval

25/8/65

57

Subject to a few corrections in approval.

25/8/65

57

A draft D.O. Reminder to CE(IP) for expediting the draft rules for the Irrigation act placed at Page 24 ante may be perused and approved.

PM 26/8/65

M. C[illegible] STAFF D.

By. Secy. to Govt. P.W.D. (I&F)

Secy PWD)

3 a)

PA to put up the typed draft on 26/8/65

PM 25/8/65

ARY TO GOVERNMENT PWS 5.4.80 25 AUG 1965 PUBLIC WORKS & ELEC. DEPT. I.

Stitching space

Note Continuation Sheet

Subject Draft Kuzhal Irrigation Rules. File No. Rwo 63 LBW 64

Reference and markings	Notes and Orders	Para Numbers

P.A to Secretary may be requested to verify whether the said Rules has been received in their establishment.

28/8/65

SS 28/8

PA to Sy (Irrig) 31/8

(60)

Not received

SS (Irrig) SI 31/8

(61)

It is verified from the Section Diary and also from the establishment of the Secy (Irrig) that the reply has been received from the Chief Engineer Irrig. Dept. D.O. proposed at page 24 of C.F. will be issued, if approved

31/8/65

Sa. 2/9/65

(62) (63) (64)

DS (I)

Secy

Today

The draft rules are received from CE(IP) on 4/9/65. PI put up

6/9/65

(65)

Letter No 1805 Sp/65 dated 10-9-1965

Draft Irrigation Rules received from the Chief Engineer (IP) Bangalore

(66)

Stitching space

SECRETARY TO GOVERNMENT PWS.5.5.38 31 AUG 1965 PUBLIC WORKS & ELEC. DEPT.

12

Note Continuation Sheet

Subject ..... Drop Limitation Rules —

File No. 1253/11.64

WD 014899—GPB—8,00,000—5-12-64

Reference and markings	Notes and Orders.	Para Numbers

may please be seen at the 25 cf. Dangerous Drop Limitation Rules received from the Civil Engineer & may please be seen at page 15 cf. Line 7 to 15 is omitted by order

B 13/9/65

In pursuance [illegible] dated 4th, 1965, [illegible] received the decision of the Deputy [illegible] 23/7/1965 and the [illegible] been published [illegible] as yours No. 10.01 1965 [illegible] the [illegible] handed 10/8/1965 [illegible] tion. 47

The Chief Engineer, [illegible] the Chief Engineer, [illegible] were requested to draft [illegible] under the Indian [illegible] also to [illegible]. Please [illegible] and 23 of [illegible] [illegible] [illegible]

Note Continuation Sheet

Subject Draft Irrigation Rules File No. PWD 63/B2564

Reference and markings	Notes and Orders	Para Numbers

be quite comprehensive and ~~also relevant to~~ may serve the purpose of carrying out the provisions ~~the concerned Sections~~ of the Act.

However, this may be referred to L.D. (69
for favour of the scrutiny of the draft
rules and for suggesting final rules ~~xfxx~~
after examining both the draft rules sent
by the C.E. (Genl) and the C.E. (IP).

This may kindly be submitted to the (70
Secretary, P.W.D. for his kind perusal before
referring the file to L.D.

13/9/65 13.9.65

Dr (I) The branch should study the rules w/r to the act and indicate how far the ambition of the act have been fulfilled by the rules framed under the act. Mere saying the rules framed by CE(IP) are comprehensive does not throw light on the above. I want the comments. M Study and put up by 17/9/65 positively

15/9/65

Rule 4 of the Rules:- 72

For construction of wells, it is necessary to prescribe certain limits from the irrigation works within which the wells may not be allowed. This office remembers

remembers that certain instructions were issued to the Divisional Commissioners, Chief Engineer, (Irrigation Projects), prescribing the limits within which the construction of wells should not be allowed.

Under the draft rules, it is stated that the Chief Engineer, (Irrigation Projects) shall be the authority to consider the application for construction of wells. Since Takavi loans are given by the Deputy Commissioners for construction of wells, it is desirable that the Deputy Commissioner is also empowered addition to the Chief Engineer, (I.P) to consider the application for construction of wells. 73

Stitching space

Rules 7 of the Rules:- 74

It is proposed in the rules to empower the Executive Engineer to exercise powers under Section 7. It is desirable that S.Es. are made the irrigation officers in case of Major Irrigation works, the E.Es. in respect of Medium Irrigation works, and the Assistant Engineers, in charge of Minor Irrigation Works.

Rule 8 of the Rules:- 75

This rule may also be modified as in the case of rule 7.

Rule 11 and 12:- 76

There might be obstructions to several

Note Continuation Sheet

Subject: Mysore Irrigation Rules

File No: PWD 63 CBS 64

References and markings	Notes and Orders.	Para Numbers
	is already on the committee. It is also a point for consideration concerning both the committees whether it would be appropriate to include non-official members as their inclusion may lead to delay and red-tapism, As a result of which, no tangible thing will come out. It is therefore necessary to reduce the non-official members including Atchkatdars to a reasonable number, i.e., say, one MLA, one MLC, one Local Board member and one Atchkatdar.	
p. 20/20	It is also a point for consideration whether the last para at page 20 of the Rules which is of general nature may be retained or deleted.	(84
Enabling Space	Under Section 71 of the Mysore Irrigation Act, 1965, Govt. are vested with powers to make rules for the purpose of carrying out the provisions of the Act and such Rules will be general for all irrigation works.	(85
+ the provisions of the Act + the Rules hope to be brought into force by a Notification.	The draft Rules now placed below have to be issued urgently. The L.D. may kindly be requested to see for scrutiny of the draft rules. 22/9/65 — 23.9.65	(86
25 (I)	The numbers as noted in the rules do not tally with the no of sections in the act. Pl verify and discuss with the rules if any	(87
	Returned after attending to the note put. 25/9	25/9/65

18)

Note Continuation Sheet

Subject ..... File No.....

WD 016863—GPB—8,00,000—17-6-65

References and markings	Notes and Orders	Para Number

88) The Mysore Irrigation Bill,1965, has received the assent of the President of India on 28-7-1965 and the same has been published as Mysore Act No.13 of 1965 in the Mysore Gazette dated 19-8-1965 for general information. A copy of the same is placed below for perusal.

89) The Chief Engineer(I.P.) and the Chief Engineer (C) have forwarded draft rules relating to the above. The same have been studied and the draft rules prepared by the Chief Engineer (I.P.)placed at pages 98/1 to 98/38. have been scrutinised with certain modifications. The same may be referred to Law Department for scrutiny and opinion in the matter. The Act is to be given effect to along with the Rules and(after the Rules are approved by the Cabinet and published in the Gazette.) the Rules may be referred to Law Department for scrutiny and opinion.

(H.Thimappa)
Under Secretary to Govt.
P.W.D.(Irrigation)

P.W.D.(I.P.)

STEADY TO GOVERNMENT
No
7 OCT 1965
PUBLIC WORKS & ELEC. DEPT.

Serial No.

91) L.D. may kindly see for favour of early Assembly

CR 13/11/65

L.D

MYSORE GOVT SECRETARIAT 13 NOV 1965 DEPT (REGISTRATION)

LAW DEPARTMENT.-

92) The draft Rules have been scrutinised.

93) Certain expressions not found in the Rules have been included in rule 2. Only the expressions found in the rules can be defined.

94) There is no provision in the Act empowering the Government to make a rule, taking power to exempt any canal from the operation of the rules. Rule 3 would not therefore be legally in order.

95) Section 3 empowers the Government by notification to invest any officer of Government in any Department or any other person with such powers and impose upon him such duties over such areas or such irrigation works under the Act as the State Government may deem fit. 'Notification' has been defined as a notification published in the official Gazette. For purposes of empowering the officers of the Public Works Department to exercise the powers of Irrigation Officer under the different sections, a notification will have to be issued under section 3 of the Act. It would not be legally correct to make rules for this purpose. The rules included in the draft which ~~will~~ empower the officers of the Public Works Department to exercise the powers of the Irrigation Officer under the

different sections have therefore to be deleted.

9) Sub-section (2) of section 4 and sub-section (1) of section 5 empower the Government to authorise any other authority or officer to exercise the powers thereunder. This authorisation will also have to be made by a notification issued by the State Government. If the authorisation had to be made by a rule, the relevant provision would have provided for the authority or officer being prescribed by rules.

LAW 707/ON/

10) Taking into consideration the statutory provisions, the draft rules have been suitably revised and a revised draft is placed in the file. The forms annexed to the draft rules have been scrutinised and revised and attached to the revised draft rules.

11) It may be noticed that ~~the~~ draft rules have not been proposed by the Public Works Department for purposes of sub-section (2) of section 32 and section 52 of the Act. The draft does not also contain the rules in respect of the matters specified in sub-section (2) of section 71. If from the administrative point of view it is considered necessary to make rules for other matters, the Public Works Department may take necessary action for the purpose.

Deputy Secy
P.W. Deptt
(Secy's Conf)

PWD
27-5
M.A.
Deputy Secy
Joint Secy. to Govt

Note Continuation Sheet

Subject..... Draft - Mysore Irrigation Rules 1965 — File No. BNR 63 (82564)

Reference and markings	Notes and Orders	Para Numbers
	The Rules as received from the Law Department have been forwarded to the Director of Printing & Stationery, by D.O. letter with a request to publish the same in Special Gazette on 29.11.1965 vide copy of the letter at page..27..ante.	(99)
	Inw CM 27/11/65 Issued on 27.11.65 —	(100)
	As per instructions at 2/s (9), a draft to all the Divisional Comms, Development Comms, the C.E. D.P. B'lore, the C.E. (R) and the Chief Engineer Industrialisation Projects — as placed at pages 25 ante — for perusal & approval. 1/12/65	(101)
	Inw CM 1/12/65	(102)
	ISSUED Dated...	(103)
	This file may be kept in Secretariat 15.12.65. yes. pp. 1/12/65 Secy A/2 Supdt	(104)

Stitching space

22

Note Continuation Sheet

Subject... Draft Irrigation Rules

File No ...

WD 014599—GPB—5.M.C.P.—1-5-61

Reference and markings	Notes and Orders	Para Number

The remarks of the Law Department at paras 92-98 of the case note may kindly be perused. In pursuance of the above a draft of the Mysore Irrigation Rules 1965 have been published in the Mysore Gazette (Extraordinary) dated 29-11-65 vide Notification No.G.S.R.743 dated 27-11-65. The last date calling for objections was fixed to be 15th December,1965. Objections and suggestions to the aforesaid rules have not been received within the prescribed time except a reference from the Chief Engineer (I.P.),Bangalore, intimating that he has not remarks to offer.

A draft of the final rules along with Certain notifications to be published in the Gazette is placed at pages. [illegible] which may perhaps be scrutinised by the Law Department before issue. The Minister for P.W.D. may also peruse the file. The file may be referred to Law Department for advise on the matter urgently. (Since the act and the rules have to be given effect to by 31/12/65 as per decision of Cabinet).

15.12.65

L.D

Minr. P.W.D

15/12/65

In ~~cancelled~~ a recent decision the High Court quashed a notification issued under

Note Continuation Sheet

Subject..... Draft Irrigation Rules

File PWD 63 CBS 64

Reference and markings	Notes and Orders	Para Numbers

under the Land Acquisition Act on the ground that the Govt. had not taken the decision for ~~take~~ action having taken vide G.H. Sridevi vs State of Mysore (3 Law Reports 604) under section 17 of that Act. In that case, the Deputy Secy, P.W. Dept, had approved the issue of the notification, for acquisition of the land for the Mangalore Port Project. In the present case ~~also~~, the draft rules have not been approved by the Minister in charge, ~~accepted~~ and hence it cannot be said that the Govt. has approved the draft Rules. In order to ~~avoid~~ ensure the validity of the rules, it is necessary to ~~get~~ obtain the orders of the Minister for the draft and thereafter take necessary further action

Mas
15/12/65
M. A. SRIKRISHNA,
Deputy Secy to Govt.
Law Department.

Law Secy
16/12

P.W.D

D. SANJEEVALU,
Secy., Law Dept.

Mas
16/12/65.

For perusal paras 99 to 107 of P.W. The draft rules placed at Pages 59 to 81 may be approved 108

Secy is on leave

Secy P.WD
Min P.WD

Approved
V. Gowda
17/12

16/12/65 109

M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

D/S (Irrigation)

Stitching space

LAW DEPARTMENT
No. 2145/BSD
16 DEC 1965

3885/65
16/12/65

FOR PUBLIC WORKS
2501
17 DEC 1965
BANGALORE.

24)

Note Continuation Sheet

Subject ..... Draft Irrigation Rules.

File No. PWD 63 WSS 65

WD 21433—GPB—8,000—1-8-61

Reference and markings	Notes and Orders	Para Numbers

110) In pursuance of para 107 of the case note a draft of Rules at pages 59-81 of the case file have been got approved by the Minister for P...D. A draft Notification publishing the draft rules again in the Gazette and calling for objections in supersession of the Gazette Notification dated 29.11.65 published in the Mysore Gazette dated 29.11.65 placed at page 86 of the case file may please be scrutinised for publication.

15/12/65

(H.Channappa)
Deputy Secretary to Govt.
P...D.(Irrigation)

JT.SECRETARY, L.D.

8/12/65

Dy Secy
P W D (Irrigation)

Drafts for copies of the Rules - addressed to Boards - Govt. Orders are issued, putting up — Rules on 17-12-65

Bibbling space

Note Continuation Sheet

Subject..... Draft Irrigation Rules. Issue of final notification. File No. PWD 63 (Rds) 64

Reference and markings	Notes and Orders	Para Numbers

In pursuance of the remarks of the Law Department at para 107 ante, the draft Irrigation Rules were got approved by the ~~Minister~~ Minister for PWD (vide para 109 ante) the Rules were again published in the extra-ordinary Gazette dated 20.12.65 fixing the last date for receiving objections/ suggestions upto 29.12.1965 after superseding the previous notification dated 27.11.1965 published in the Gazette dated 29.11.1965. (113

No objections/suggestions have been received from the public within the prescribed time.

The draft final notification put up along with other notifications at page 87 of C/F may be approved in consultation with Law Department.

29/12/65 (114

M. CHANNAPPA,
Dy. Secy. to Govt. P.W.D. (Irrgn.)

29/12/65

Law Dept.

Preamble of Draft at page 87 C/ is (115
~~Draft is in order.~~

P.W.D. Dept.)

30/12/65

K. N. GUNDAPPA,
Asst. Draftsman & Ex-Officio Under Secy., Law Department.

LAW 874/A/VII/65

SECRETARIAT

116) For perusal of paras 99-108, 113 of the case note. The final rules are now placed at (pages 119-146 of the case note vide Flag 'K') which may be perused and approved

26)

Note Continuation Sheet

Subject Drop Irrigation Rules

File No 1252 63/65-54

WD [illegible]—GP3—8,00,000—11-5-6

Reference and markings	Notes and Orders	Para Numbers

before issue. The Irrigation Act/as where approved by the President of India will be brought into force with effect from 1st January, 1966, along with the Rules relating to the Act referred to above. ~~Subsequently~~ Notifications placed at pages 114,115,116,117,118 of the case file which have been scrutinised by Law Department and/ which have to be notified alongwith may also kindly be approved before issued.

30/12/65

(M. Channappa)
Deputy Secretary to Govt.
P.W.D. (Irrigation)

CHIEF MINISTER; 117

Issue 113

31/12/65

Subject to deposit of four copies of the 115
letter addressed to Executive Engineers
and Secretary of Association.

31/12/65 — Deposit Copies of the 120
Executive Engineers

Letter dt. 31.12.65

Dy. No. PWD 25 dt. 20.1.66.

Dy. No. PWD 98 dt. 20.1.66.

Dy. No. PWD 145 dt. 21.1.66.

P.O. for Rs. 200 dt. 12.1.66 (12)

and for Rs. [illegible]

[Appendix F. C.– I]

SUBJECT ..... Draft Mysore Irrigation Bill 1963...
..... Draft Mysore Irrigation Rules to be framed thereunder .....

Diary No. of letter replied to..... .....

Mysore Government Secretariat.

( )

the *196* .

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No,

Serial No.

Immediate

No.

To

The Chief Engineer (P)
Bangalore

The Chief Engineer (P)
Bangalore

I am directed to enclose herewith a copy of draft Mysore Irrigation Bill 1963 and to request you to frame and forward a draft ~~Rules~~ Mysore Irrigation Rules after taking in to Consideration the

GOVERNMENT OF MYSORE

IMMEDIATE

No. PWD 311 PDSP 164

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, ..8-9-...1964.
10

FROM

Secretary to the Government of Mysore,

To **Public Works Department, Bangalore.**

The CE, (G), Bangalore.
The CE, I, Bangalore.

Sir,

Sub:-Draft Mysore Irrigation Bill 1963-
Draft Mysore Irrigation Rules
thereunder.

I am directed to enclose herewith a copy of draft Mysore Irrigation Bill 1963 and to request you to frame and forward draft Irrigation rules after taking into consideration the relevent provision contai in the above said bill.

An immediate report is requested.

Yours faithfully,

12/9/1964

(K.C.Bothe),
Under Secretary to Government,
Public Works Department.

Issued
Dated 10/9/64

GOVERNMENT OF MYSORE

~~K. B. MURARAPPA, B.E., MCE. (USA),~~
Deputy Secretary to Government,
Public Works Department (Irrgn)

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated - 196

D.O.No.PWD 3~~11 Q SP 64~~ . L Bs 64.

Dear Sir,

Sub: Draft Mysore Irrigation Bill 1963 -
Draft Mysore Irrigation Rule there under

I am desired to invite reference to Government letter ~~of~~ No. PWD 311 Q SP 64.
~~even number~~ dated 10 - 9 - 1964. ~~and your letter fixed~~ No. ~~dated~~ on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately/~~without any further delay~~.

~~This case is pending since for want of your reply.~~

Yours sincerely,

30/11/64

The Chief Engineer (Irr)
~~Bangalore~~
The Chief Engineer (SP) } by name
~~Bangalore~~

GOVERNMENT OF MYSORE.

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore Dated 2-1-1965

M. CHANNAPPA, B.E, AMIE
Deputy Secretary to Government,
Public Works Department (Irrign.)

D.O. No. PWD 63 LBW 64.

Dear Sir,

Sub: Draft Mysore Irrigation Bill 1963-
Draft Mysore Irrigation Rule there under.

I am desired to invite reference to Government letter No. PWD311 IDSP/64 dated 30/9/64 on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therin immediately.

Yours sincerely,

(Sd)

ISSUED
Dated....2....1....65

The C E (I) } Bangalore by name
The C E P } grv 3 31/12/64.

~~K.B.MURARAPPA, B.E., MCE(USA).,~~
~~DEPUTY SECRETARY TO GOVERNMENT,~~
PUBLIC WORKS DEPTT(IRRIGATION).

MYSORE GOVERNMENT SECRETARIAT,
'VIDHANA SOUDHA'
BANGALORE, DATED: -12-63.

D.O.No.PWD 63 LBW 64.

Dear Sir,

Subject:- Draft Mysore Forests Bill 1963
Draft Mysore Forests Rules thereunder

I am desired to invite reference to Government letter of ~~even~~ number ~~dated~~ PWD 311 For SP 64 dated 10-9-1964 and your letter No. ~~dated~~ reminder of even No dated 2-1-1965 on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately.

~~This case is pending since for want of your reply.~~

Yours sincerely,

To
Shri The Chief Engineer(S)
Bangalore
The C E (P) Bangalore } By name

ACA/

M.H.WINSTON,
Under Secretary to Government,
Public Works Department(Services-C).

Mysore Government Secretariat,
Vidhana Soudha,

Bangalore, dated 15th January 1965.

D.O.No.PWD 63 LBW 64.

Dear Sir,

Sub:-Draft Mysore Irrigation Bill 1963-
Draft Mysore Irrigation Rule thereunder.

I am desired to invite reference to Government letter of No.PWD 311 IWSP/64 dated 10-9-1964 and subsequent reminder of even number dated 2-1-1965 on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately.

Yours sincerely,

To

The Chief Engineer(G),
Bangalore.

The Chief Engineer,IP,
Bangalore.

By name. 13/1/65

ISSUED
Dated... 15/1/65

ncj/d.23166.

G.A.D. (P. & O & M)
Vidhana Soudha,
Bangalore-1. Jan[illegible], 1955.

U.O. Note No. GAD 22 OLA 54.

RECEIVED TO GOVERNMENT
1955
PUBLIC WORKS & ELEC. DEPT.

Sub: Rules made under Acts passed by the State Legislature after 1-11-1956 up-to-date.

An extract of Minute of the Chief Minister on the above subject is reproduced below for favour of urgent action and report.

"This is very unsatisfactory. We should see that before a Bill is introduced rules also should be ready and immediately the Bill becomes an Act we should finalise the rules in the light of any amendments made by the Legislature. After all there may not be many changes and rules can be finalised within one or two months. In the last quite a few Acts have no rules even though 3 to 4 years have passed after the Act was passed. This is evidently wrong. I think there should be sufficient no. of staff in the Law Department to prepare the rules or to finalise them immediately they are (draft) received from the respective Departments. I wish necessary staff may be found for the purpose at both the places i.e., the department concerned and the Law Department. I may be informed as to what has been done within a month".

(C.D. SESHADRI)
Deputy Secretary to Government,
G.A.D. (Political and O and M).

All Secretaries to Government.

Draft.
D.O.
/No. PWD 63 LBW 64.

~~Dr~~

Dear ~~Sir,~~

Sub: Draft Mysore Irrigation Bill 1963 -
Framing of Draft Rules thereunder -

Please refer to Govt., letter No. PWD 311 ID. Spl. 64 dt. 8/10-9-1964 and subsequent reminders thereto dated 2.1.65 and ~~dated~~ 15.1.65 ~~on the above subject~~. You were requested therein to frame and forward draft Irrigation rules taking into consideration the relevent provision contained in the Draft Mysore IrrigationBill 1963 for consideration of Govt.,

~~It is regretted to note that~~ you have not replied inspite of ~~D.O.~~ reminders ~~issued to you in this behalf~~. ~~This is a matter of urgent nature.~~ I request you kindly to look into the matter personally and see that ~~the~~ reply is ~~forwarded~~ without any further delay.

Yours sincerely,

To--The C.E., (Gl).,
The C.E., I.P., } By Name.

Issued
Dated 9-2-65

14.

GOVERNMENT OF MYSORE
PUBLIC WORKS DEPARTMENT

I.M. MAGDUM, B.E., MIE.,
Chief Engineer,
Irrigation Projects in Mysore

BANGALORE-1
Dated 6-3-1965

D.O. No. 564/P

SECRETARY TO GOVT. PUBLIC WORKS & ELEC. DEPT. D. 266

Sub:- Draft Mysore Irrigation Bill 1963 - Framing of Draft Rules thereunder.

Ref:- Government D.O.No. PWD 63 LBW 64 dated 8-2-1965.

...

MYSORE GOVT. SECRET 486 9 MAR 1965 P.W.D. (SECRET)

Dear Shri. Patel,

With a view to render the draft rules applicable to the entire State, I had asked the Superintending Engineers of important Major Irrigation Projects to submit Draft Rules. It will be reviewed at my level in the course of this month and a finalised draft rules will be sent to Government some time in the middle of next month.

2) B.F. 10-4-65

Cli 7/3

Spl 9 Sachivi PML 8/3

Yours sincerely,

(I.M. Magdum)

DS(1)

Shri. Chandappa Patel, IAS.,
Secretary to Government of Mysore,
Public Works & Ele.Department,
'Vidhana Soudha', Bangalore-1.

Ack.
8) 'N'

Transfer is placed both and submitted work
reference to para 2 above.
8/14/8/65

I Draft 15

DRAFT.

Dear Sri Magdum,

Sub:-Draft Mysore Irrigation Bill 1963 - Framing of Draft Rules thereunder.

Please refer to your letter No.564/P dated 6-3-1965 on the above subject. you had promised therein that you would send the finalised draft rules applicable to the entire state some time in the middle of April,1965.

~~Though the month of April is coming to a close~~, the draft rules have not yet been received as promised.

As the matter is urgent, I request you kindly to bestow your personal attention in the matter and see that the draft rules are sent as early as possible.

Yours sincerely,

To
C.E.(I.P.)) BY NAME.
Bangalore.)

ISSUED
T.P.
Rec'd today Dated 5/5/65
4/5/65

15

II Draft

DRAFT.

Dear Sri Balekundry,

Sub:-Draft Mysore Irrigation Bill,1963 -
Framing of draft Rules thereunder.

Please refer to Govt. letter No.PWD 311/ ID/Spl/64 dated 8/10-9-1964 and subsequent reminders thereto ending with my D.O.letter No.PWD 63 BBW 64 dated 9-2-65.

Considering the importance and urgency of the matter you were requested to look into the matter personally and see that the draft Irrigation Rules are sent without further delay.

The draft rules have not yet been received up till now.

I request you again to bestow your personal attention in the matter and see that the draft rules are sent immediately.

Yours etc.

To
C.E.(Gl),)
Bangalore.)By name.

12

17

GOVERNMENT OF MYSORE
PUBLIC WORKS DEPARTMENT

I.M. Magdum, BE, MIE,
Chief Engineer,
Irrigation Projects in Mysore
BANGALORE-1

SECRETARY TO GOVERNMENT * PUBLIC WORKS & ELEC. DEPT. D.O. 629 ... 10 MAY 1965

Dated ... 6 ... 5 ... 1965

D.O. No. 67/8

Sub:- Draft Mysore Irrigation Bill 1963 -- Forming of Draft Rules thereunder.

Dear Shri Patel,

Please refer your D.O. letter No. PWD 63 LBW 64 dated 4/5th May 1965.

2. I have convened a meeting of Superintending Engineers to ~~d... at the~~ Mysore Irrigation Bill, in my chambers on 7-5-1965. The draft rules will be discussed in the meeting to finalise & the same will be submitted to Government shortly.

finalise the draft

Yours sincerely,

(I.M. Magdum)

Shri Chandappa Patel, IAS,
Secretary to Government,
Public Works & Elecy.Dept.,
'Vidhana Soudha',
Bangalore-1.

1016

P.W.D. (RECEIPT & ISSUE SECTION)

18

Office of the Chief Engineer (General)
P.W.D., P.B. [illegible] Bangalore-1.

No. 1&N 50 PLN 65-6.
Draft Rules No 6

Dated the 26.5.65

To

The Secretary to Government,
Public Works Department,
Bangalore.

Sir,

Sub: Draft Mysore Irrigation Bill 1963 -
Framing of Draft Rules thereunder -

Ref: Government letter No.PWD 311 ID/Spl/64 dated 8/10-9-64 and D.O.No.PWD 63 LBW 64 of 4th/5th May 1965.

I enclose herewith draft rules for the Mysore Irrigation Bill 1965 for taking further action in the matter.

28/5/65

Yours faithfully,

(S.G.BALEKUNDRY),
Chief Engineer (General).

mkg.15/5

DRAFT RULES UNDER MYSORE IRRIGATION BILL.1965.

In exercise of the powers conferred by Section 71 of the Mysore Irrigation Bill, 1965, the Government of Mysore hereby make the following Rules, the draft being published in the Mysore Gazette as required by Sub-Section(1) of the said Section.

R U L E S.

1. TITLE,EXTENT,COMMENCEMENT AND APPLICATION:

These rules may be called Mysore Irrigation Bill Rules, 1965. They are applicable to the whole of Mysore State to all irrigation works as defined in Section 2(h). These rules will come into force with effect from.....

2. DEFINITION.

In these Rules, unless the context otherwise requires, the following definitions will hold good.

1) " ACT" means the Mysore Irrigation Act,1965.

2) "FORM" means a form appended to these Rules.

3) "SECTION" means a section of the Act.

4) " YEAR" means the year commencing from 1st day of July.

5) "Canal Officer" means(i) the Assistant Engineer of that area under whose jurisdiction the irrigation work lies, when the work irrigates more than 100 acres;(ii) Circle Officer (Revenue Inspector) when the work irrigates more than 10 acres but not more than 100 acres;(iii)Supervisor when the work irrigates 10 acres and less.

6) "NOTIFICATION" means notification in the Government Gazette.

7) "IRRIGATION OFFICER" means --

i)The Executive Engineer of the Division of that area in whose jurisdiction the irrigation work lies in the case of works irrigating more than 100 acres each.

ii)The Tahsildar of that area in whose jurisdiction the irrigation work lies in the case of works irrigating more than 10 acres but not more than 100 acres each.

iii) Executive Officer of the Block of that area in whose jurisdiction the irrigation work lies in the case of works each irrigating 10 acres and less.

3. AUTHORITY TO SANCTION CONSTRUCTION, CONTROL AND MAINTENANCE OF IRRIGATION WORKS:

Competent authority to accord previous sanction for the purpose of Section 4 shall be the Officers of the Public Works Department of that area in whose jurisdiction the irrigation work lies and according to their powers of administrative sanction delegated to them by the State Government from time to time. The conditions of Section 4 are applicable to all Irrigation works whether controlled and/or maintained by private sector or public sector or jointly by both.

4. OFFICER TO ISSUE NOTIFICATION WHEN WATER SUPPLY IS TO BE APPLIED FOR THE PURPOSE OF IRRIGATION WORKS UNDER SECTION 5:

For the purpose of Section 5, the Irrigation Officer as defined in Rule 3 Sub-Rule 7 shall be the competent authority to issue notification under Section 5.

5. ENTRY FOR INQUIRY:

Section 6 shall also include all persons required for such inquiry including the majdoors as may be considered necessary by the Irrigation Officer.

Section 6 Sub-Section (c) shall include all works in connection with the inquiry such as conducting preliminary survey, fixing of marking stones, demarcation of the land deemed necessary in the opinion of the Irrigation Officer or his subordinate deputed for conducting such inquiry, and/o examination. If during or for the purpose of such inquiry or examination any damage or inconvenience is caused to the land-holder or owner, no compensation can be claimed by the holder or owner of such land.

6. POWER TO INSPECT AND REGULATE SUPPLY:

For the purpose of Section 7, the Irrigation Officer or any person acting under the general or special order of such Irrigation Officer shall also have the power to construct or dismantle any structure or device, considered necessary in his opinion for proper regulation, maintenance and management of the irrigation work from which such water is supplied.

7. NOTICE TO OCCUPIER:

Notice for the purpose of Section 9 and 12, means a letter or intimation under Registered Post or if such letter is returned undelivered for any reasons specified by the Postal authorities, such letter or intimation shall be pasted on the Notice Board of the Village Panchayat office or the Village Chavadi or be published by Tom Tom in the village to whose area the case pertains.

8. For the purpose of Section 10, Irrigation Officer shall be the authority to specify on behalf of the State Government, the necessity of providing such means of crossing canals and eliminating obstruction to drainage.

9. For prohibiting obstruction of rivers, etc., within certain limits, as specified in Section 11, the Irrigation Officer shall issue the notification under Section 11, giving reasons for such prohibition.

10. In regard to procedure for construction of field channels as laid down in Section 18, any person whose lands would be benefitted by the construction of a field channel shall either construct the field channel himself within 30 days or apply within 30 days, after the receipt of notice from the Irrigation Officer, that the alignment is fixed and land is acquired for the purpose of constructing field channel. The form of notice shall be as described in rule No.7. After the expiry of 30 days, if no action is taken by such person either to construct the field channel himself as stipulated

in section 18(a) or apply in writing to the Irrigation Officer as stipulated in Section 18(b), the Irrigation Officer shall proceed to apply Section 26.

11. In the case of construction of field channel on deposit of estimated cost, as stipulated in Section 19(1) the applicant shall deposit the said amount within 15 days from the date of demand notice by the Irrigation Officer failing which the Irrigation Officer shall proceed to apply section 19 (2). The form of notice shall be as described in Rule No.8.

12. All the obligations of persons having right to use the field channels as stipulated in Section 20 shall be applicable to all the field channels whether they be partly or wholly constructed as per any or all of Sections 18, 19 and 26.

13. Under Section 21 for use of field channel or water by other person having no right to use it or under Section 28 for irrigating a land not assessed as a wet land or not included in any area to which supply of water is regulated under Section 27, the person desiring to have the supply of water shall apply to the Irrigation Officer in the form Appendix 'A', in triplicate. If the request of the applicant is sanctioned by the Irrigation Officer, one copy of the application will be retained in the office of the Irrigation Officer, one copy will be returned to the party with the Irrigation Officer's order while the third copy shall be sent to the Tahsildar of the Taluk or Sub-Taluk for taking action regarding collection of water rate and the contribution, etc., as per Section 22. If the request of the applicant is rejected, all the forms will be returned to the applicant with the rejection order of the Irrigation Officer. The aggrieved person shall, if he so desires, appeal to (i) the Superintending Engineer, when the Irrigation Officer is an Executive Engineer, (ii) the Deputy Commissioner when the Irrigation Officer is a Tahsildar or

or Executive Officer, within 30 days from the date of intimation of rejection by the Irrigation Officer and the latter's orders will be final in the matter.

14. Irrigation Officer shall be the authority to order stoppage of water under Section 29 and Section 30.

15. (i)Under Section 31(1), the order of the Irrigation Officer regarding the regulation of cultivation on wet lands shall be published in the Gazette in the form at Appendix'B' before two weeks of the commencement of the Irrigation season. In case of non-publication of such order as above, the immediately previous order shall hold good for the ensuing irrigation season.

(ii)Under Section 31(3), the aggrieved party under this Section will appeal to(a) the Superintending Engineer under whose jurisdiction the irrigation work lies in the case of the orders of the Executive Engineer and (b) the Deputy Commissioner in the of the orders of the Tahsildar and Executive Officer and the appellant authority's decision is final in the matter.

16. (i)Under Section 32(1) regarding the powers to prescribe the kind of crop to be grown under the Irrigation area and the period of growing such crop. For the purpose of the application of this section, the State Government means (a) the Superintending Engineer when the Irrigation Officer is Executive Engineer and (2) Deputy Commissioner when the Irrigation Officer is the Tahsildar or the Executive Officer.

(ii) Power of approval for Section 32(2) shall rest with (a) the Superintending Engineer when the Irrigation Officer is the Executive Engineer and with (b) the Deputy Commissioner when the Irrigation Officer is Tahsildar or the Executive Officer, while the Chief Engineer and the Divisional Commissioner shall be the respective appellant authorities whose orders are final in the matter.

17. For Section 33 regarding compensation for damages caused consequent on the exercise of powers conferred by this Act, the Irrigation Officer shall be the authority for ascertaining the substantial damage caused and fix up the amount of compensation. The appellant authority for this purpose shall be (i) the Superintending Engineer when the Irrigation

Irrigation Officer is the Executive Engineer and (ii) the Deputy Commissioner when the Irrigation Officer is the Tahsildar or Executive Officer.

18. Regarding limitations of claims under Section 34 (i) the Superintending Engineer having jurisdiction over the Irrigation officer shall be the authority to condone the delay when the Irrigation Officer is the Executive Engineer and (ii) the Deputy Commissioner shall be the authority to condone the delay when the Irrigation Officer is Tahsildar or Executive Officer.

19. In case the tender is not accepted by the Land-holder or owner of the property, for the purpose of Section 35, Sub-Section (2), Irrigation Officer shall forthwith refer the matter to (i) the Superintending Engineer if the Irrigation Officer is Executive Engineer and to (ii) the Deputy Commissioner if the Irrigation Officer is Tahsildar or Executive Officer.

20. (i) For the purpose of Section 86 Sub-Section (1) the claims shall be made to (a) the Superintending Engineer in case Irrigation Officer is Executive Engineer and to (b) the Deputy Commissioner in case the Irrigation Officer is Tahsildar or Executive Officer.

(ii) For the purpose of section 36 Sub-Section (2), (i) the Superintending Engineer shall be the officer to enquire into all such claims and determine the amount of compensation if any when the Irrigation Officer is the Executive Officer and (ii) the Deputy Commissioner when the Irrigation Officer is Tahsildar or Executive Officer. Further no order determining the amount of compensation shall be made by the Superintending Engineer without the previous approval of the Chief Engineer and by the Deputy Commissioner without the previous approval of the Divisional Commissioner.

21. Provision of appeal under Section 37 refers to the order of the Superintending Engineer as well as Deputy Commissioner as the case may be, to whom the order pertains as stated in Rule 20 Sub rules (i) and (ii).

22. Under Section 38, regarding payment of compensation, if the amount of compensation remains unpaid for a period of one year after the award is passed and communicated to the party, the amount shall stand forefeited to Government. Thereafter it can be paid only with specific orders of Government.

23. SECTION 40 - SUB SECTION (1) AND SECTION 41:

Provisions of these sections shall be applied by the Irrigation Officer or in his absence the Assistant Engineer having jurisdiction over the area or Tahsildar or Executive Officer when he is Irrigation Officer.

24. Appellant Authority for the purpose of Section 42 shall be the Superintending Engineer when Irrigation Officer is Executive Engineer and Deputy Commissioner when Irrigation Officer is Tahsildar or Executive Officer. Decision of the appellant authority shall be final.

25. Appellant authority for the purpose of Section 48 Sub section 4 shall be the Superintending Engineer when the Irrigation Officer is Executive Engineer and Deputy Commissioner when the Irrigation Officer is Tahsildar or Executive Officer.

26. For the purpose of Section 52, the Director of Fisheries in the State Government or any other Officer empowered by him shall be the authority to permit fishing and the Chief Engineer shall be the authority to permit plying of boats.

27. FOR THE PURPOSE OF SECTION 55:

Competent officers to complain for prosecution under Section 55 shall be

(i) The Chief Engineer when the Irrigation Officer is Executive Engineer.

(ii) The Divisional Commissioner when the Irrigation Officer is Tahsildar or Executive Officer.

28. Unless otherwise stated in the above rules the Appellant Authority for the purpose of this Act shall be

(i) Superintending Engineer when the Irrigation Officer is Executive Engineer.

(ii) Deputy Commissioner when the Irrigation Officer is Tahsildar or Executive Officer

29. FOR THE PURPOSE OF SECTION 66:

The power of revision shall vest with

(i) The Chief Engineer when the Irrigation Officer is Executive Engineer.

(ii) The Divisional Commissioner when the Irrigation Officer is Tahsildar or Executive Officer.

The Officer vested with the power of revision as stated when on examination of the records of any case, considers that any order of such officer should be revised, such order or decision may be revised or altered and he (Chief Engineer or Divisional Commissioner as the case may be) may pass such other order as he may deem fit.

30. When the notice is served by sending its copy by registered post as stated in Section 68 and when such registered post is returned undelivered for whatsoever reason it may be, the Irrigation Officer shall cause it to be pasted on the Notice Board of the Village Panchyat Office of the Village Chavadi of the

Chavadi of the village to whose area the case pertains or publish it by Tom Tom in the village to whose area the case pertains.

29.4.45

Chief Engineer (General)

(19)

Subject:- Draft Mysore Irrigation Bill 1965 - Framing of Draft Rules thereunder

Dear Sir

P17 c.dm

Please refer to your D.O. letter No. 67/P dt 6.5.1965 on the above subject. You requested that the draft rules would be sent as soon as they were discussed and finalised in the meeting of the S.E.'s called for in that behalf. But so far the draft rules have not been sent to Govt.

I request you kindly to look into the matter personally and expedite the draft rules so that the draft rules are expedited.

Issued
Dated 14/6/65

Y. S.

2/6

To
Sri. I.M. Muddum.
Addl. Chief Engineer
Addl. D.P.
(By name

GOVERNMENT OF MYSORE

Y. Channappa
~~K.B. MURARAPPA~~, B.E., ~~MCE. (USA)~~, M.I.E.
Deputy Secretary to Government,
Public Works Department (Irrgn)

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated - 196 .

D.O.No.PWD 63 LBW 64

Dear Sir,

Sub: As on Page 19

I am desired to invite reference to Government letter of even number dated 4-6-1965 and ~~your letter xxxxx No. dated~~ on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein ~~immediately~~/without any further delay as the matter is urgent and requires immediate attention.

~~This case is pending since~~ for want of your reply.

Yours sincerely,

J.M. Magdum AE ~~AMIE~~ M.I.E.(India) 31/8/65

The Chief Engineer (P.W.D.)
Bangalore

By name

31/7/65

GOVERNMENT OF MYSORE.

SHRI M.CHANNAPPA, B.E., A.M.I.E.,
Deputy Secretary to Government,
Public Works Department (Irrigation)

Vidhana Soudha,
Bangalore, Dt/ 6th August 1965.

D.O.NO.PWD 63 LBW 64.

Dear Sir,

Sub: Draft Mysore Irrigation Bill 1965 - Framing of Draft Rules thereunder -

.....

I am desired to invite reference to Government letter of even number dated 4/6/1965 on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein without any further delay as the matter is urgent and requires immediate attention.

Yours sincerely,

6/8/65

ISSUED
Dated..6/8/65

Shri. I.M.Magdum, B.E., MIE (India),
Chief Engineer,
Irrigation Projects in Mysore,
Bangalore.

GSS:

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

Subject:- Mysore Irrigation Bill 1965 — Framing of Rules thereunder.

Dear Sri -

Please refer to my D.O. letter no. P19 DCT dated 19 DCT

PWD 63 CBS 64 dt 4.6.1965 and subsequent reminder dated 7.8.1965 on the above subject. You had promised in your letter No. 67/P dt 6.5.1965 that you would send the draft rules as soon as they were discussed and finalised in the meeting of the S.S.S. Called for in this behalf. No reply is forthcoming even after a lapse of three months. The framing of rules is necessarily to be done in consultation with you.

The Mysore Irrigation Bill 1965 has already received the assent of the President of India and it is expected to be published shortly as an Act. As the Rules under this Act will have to be

P. 17 DCT

WD 04698—GPB—PZS—1,00,000—25-8-59

Enclosed is expense account
please fill out and return
I hope you will appreciate
being in residence at the
Bridges and find the Bells
at the Cabin.

Yours,

Dr

Mr. [illegible] Museum.
City
[illegible]

Submitted. 47 notes
Reference orders of D.S.P.W.D(I) at para/of fileNo. PWD 63 LBW 64.

I was on P.L. from 5-4-1965 to 28th May 1965. By the time I returned from leave there was accumulation of work pertaining to my table and with considerable difficulty I cleared off the arrears. Further to my ill-luck during the second week of June 65, I met with an accident/and sustained injury to my left arm. On examination in Victoria Hospital/it was pronounced that there was fracture and and hence I had to undergo further medical treatment and my hand was tied with plaster. In spite of severe pains I managed to attend office and and dispose off the cases to the best of my ability. When the pain was too severe and unbearable I was forced to avail leave. The details of the leave period are furnished below.

1. C.L. from 14-6-65 to 15-6-65.
2. C.L. from 24-6-65 to 28-6-65.
3. Earned leave from 5-7-1965 to 12-7-1965(including the public holidays).

Even though I was not ~~declared completely fit~~ in a position to resume duties I rejoined my duties on 13th July, 1965. This time also therewas accumulation of work on my table and with considerable personal efforts without caring for my the pains I was undergoing as a result of the injury to my left arm I have cleared off the arrears.

The above file was found mixed up with other Sus.files and was lost sight of. Immediately after my return from leave I have reviewed the Sus.cases and put up remindes in good many cases including the above file A few days delay in the above case is unintentional and beyond my control. I may therefore be excused.

As I was asked to put up list of cases pending for more than one year for being submitted to the Chief Secty. and as I was busy for the last few days I could not submit this note earlier.

Submitted for kindly perusal.

13/8/65

(24

No.PWD.....

SUB:-Mysore Irrigation ~~Bill~~ Act 1965 - framing of Rules thereunder.

--

Dear Sri.....

Please refer to my two D.O.letters of even No. dated 4-6-65 and dated 12-8-65, on the above subject. The required information has not yet been received so far. I had stressed therein that in the absence of Rules it is not possible to enforce the provisions of the Act.

I request you again to look into the matter personally and see that the draft rules are sent immediately. The question of finalisation of the Rules is held up unnecessarily for want of information from you.

Yours sincerely,

SECRETARY TO GOVERNMENT,
P.W.&E.DEPARTMENT.

To

Shri I.M.Magdum,B.E.,
Chief Engineer (I.P.),
Bangalore.

GOVERNMENT OF MYSORE

25

Office of the Chief Engineer, PWD.,
Irrigation Projects in Mysore,
Park House,
Bangalore, Dated: 9-9-65

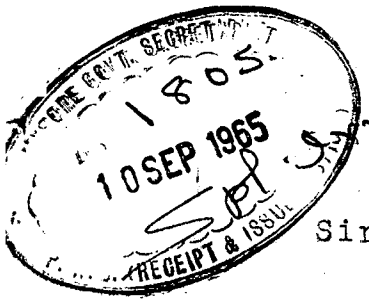
No.IRN/ORD/996/TA5

To

The Secretary to Government,
Public Works Department,
Vidhana Soudha, Bangalore.

Sub:-Mysore Irrigation Bill 1965 framing of Draft rules there under.

Ref:-Secy PWD's letter No.(1)PWD 311 1 DSP/64 Dt.2-1-1965 and D.O.letter No.PWD 63 LBW 64 Dt.12-8-1965.



Sir,

I am herewith enclosing the draft rules under Mysore Irrigation act 1965.

Yours faithfully,

for Chief Engineer, PWD.,
Irrigation Projects.

9.9.65.

THE MYSORE IRRIGATION RULES 1965

(DRAFT)

THE MYSORE IRRIGATION RULES - 1965.

****

In exercise of the powers conferred by section 71, of the Mysore Irrigation Act 1965 (Mysore Act No...16... 1965) the Government of Mysore hereby makes the following rules for the administration of Irrigation works in the State of Mysore with effect from the .....namely:

RULES.

CHAPTER - I.

PRELIMINARY.

1. ~~Short Title~~:- These rules may be called the Mysore Irrigation/~~Canal~~ Rules 1965, They are applicable to the whole of Mysore State and to all Irrigation works as defined in section 2(h).

2. Definitions:- In these rules. unless the context otherwise requires -

(a) "Act" means the Mysore Irrigation Act, 1965.

(b) "~~Chief Engineer~~", "Superintending Engineer", "Executive Engineer" and "Assistant Engineer mean the officers of the Public Works Department so designated, ~~and holding~~ in charge of Irrigation works in the area concerned, and includes ~~or~~ officers appointed ~~by Government to exercise the powers of any of these officers;~~ to perform the functions of such Superintending Engineer, Executive Engineer or Assistant Engineer, as the case may be;

(c) "Outlet" means an opening through which water passes from a Government Tank, Canal, Branch Canal or Distributary or water course to a Field Channel;

~~(d) "Prescribed" means prescribed by these rules.~~

(e) "Section" means section of the Act.

(f) "Well" ~~is~~ means a structure Constructed for the purpose of tapping underground resources of water for the purpose of diversion and collection of

.....2..

(g) ~~IRRIGATION OFFICER.~~ ~~Unless~~ otherwise ~~specified in respect of any particular section to perform the functions defined therein~~ "Irrigation Officer" means.-

(i) the Executive Engineer of the Division ~~of that area~~ in whose jurisdiction the Irrigation work lies, ~~in the case of~~ Irrigation works irrigating more than 100 acres each.

(ii) The Tahasildar of that area in whose jurisdiction the irrigation work lies ~~in the case of~~ works irrigating more than 10 acres but not more than 100 acres each.

(iii) Executive Officer of the Taluka Board ~~of that area~~ in whose jurisdiction the Irrigation work lies ~~in the case of~~ works irrigating 10 acres and less."

(h) "CANAL OFFICER" means:-

(i) The Assistant Engineer of that area under whose jurisdiction the Irrigation work lies when the work irrigates more than 100 acres.

(ii) Revenue Inspector or the Circle Officer when the work irrigates more than 10 acres but not more than 100 acres.

(iii) Supervisor of the Taluka Board when the Irrigation work irrigates 10 acres and less.

Irrigation Officer → Canal Officer

surface flow of

(e) Sectional Officer means an officer of Public Works Department subordinate to Assistant Engineer and of the rank of a Junior Engineer or a Supervisor, ~~xxxxx~~ who is in charge of irrigation work.

(f) "Perennial Crop" means a crop which requires water for a period of not less than eight months.

(g) "Wet Crop" is a crop that requires water for more than 3 months but less than 8 months.

(h) "Dry-cum-Wet" means seasonal crops like Jowar, Cotton or ground nut which are normally grown without the aid of irrigation but which require water occationally to ensure crops against failure as well accrue better yield.

(i) "Dry Crop" means crop like Jowar, cotton or ground nut which are grown without the aid of irrigation.

(j) "Year" means the irrigation year commencing on 1st day of (June.) July and ending with 30th June with the following Calendar year

(l) "Season" means an irrigation season either "Kharif season" meaning the period from 15th June to 15th October or "Rabi" season meaning the period from 15th October to 15th February, or "Hot weather" season meaning the period from 15th February to 14th June ensuing. "Seasonal Crop" means a crop which is sown cultivated or reaped during a particular season of the year.

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3. Exemptions:- The State Government may by notification in the Mysore Government Gazette exempt any canal from the operation of all or any of these rules.

C H A P T E R - II.

CONSTRUCTION, CONTROL AND MAINTENANCE OF IRRIGATION WORKS.

3. 4. CONSTRUCTION, CONTROL AND MAINTENANCE OF IRRIGATION WORKS ~~ONLY WITH CONSENT OF GOVERNMENT AND SUBJECT TO CONDITIONS.~~

oooooo

(1) ~~(i)~~ Any person desirous of constructing, Controlling or maintaining a Reservoir, Tank, Anicut, Bandhara, Pond, springpond, canal, field channel, talaparige, channel or aqueduct shall ~~apply to the Executive Engineer, in-~~ make an application to the state government through the Executive Engineer having ~~charge of irrigation works for permission of the State~~ jurisdiction over irrigation works in the area concerned ~~Government.~~

(2) Every application received by the Executive Engineer under sub-rule (1) shall be forwarded with his remarks to the State government as soon as possible after its receipt.

~~having jurisdiction over such Irrigation works.~~

4. Construction of Wells in Controlled areas

(2) ~~(ii) The Chief Engineer shall be the authority duly~~ For purposes of ~~empowered under~~ subsection (2) of Section 4, ~~to consider~~ the authority ~~the Chief Engineer shall be the authority authorised by the~~ application for construction of wells near Irrigation ~~State Government~~ works.

(1) (b) ~~(iii)~~ Any person desirous of constructing a well shall ~~apply to~~ the Executive Engineer, ~~with full details re-~~ having jurisdiction over such Irrigation works in the area concerned garding location, purpose and general dimensions of the well.

in any area notified under sub-section (2) of section 2 shall make an application for sanction through

(c) Every ~~(iv) The~~ application ~~so~~ received by the Executive under this clause (b) with his remarks Engineer, shall be forwarded by him to the Chief Engineer, as soon as possible after its receipt ~~for decision on the application.~~

(3) (2) ~~(d)~~ On receipt of an application under sub-rule (2), the Chief Engineer shall ~~after such inquiry as he deems fit~~ and after giving an opportunity to the a reasonable opportunity of being heard to the applicant pass such orders as he deems fit.

5. NOTIFICATION TO ISSUE WHEN WATER SUPPLY IS TO BE APPLIED FOR PURPOSE OF IRRIGATION WORKS:

~~(f)~~ ~~(i)~~ The Deputy Commissioner of the District shall ~~to function under sub section 1 of Section 5 of the area~~ be the ~~authority who will bring to the notice of the~~ ~~Officer~~ authorised under sub-section (1) of section 5.

~~of the State Government any infringement on the streams and river notified under Section 5 of the Act.~~

(ii) The Chief Engineer shall be the Irrigation Officer for purpose of sub-section 2 of Section -5.

6. ENTRY FOR ENQUIRY:

(i) The Chief Engineer shall be the Irrigation Officer to exercise powers under Section - 6.

(ii) The notice shall be issued in the prescribed form enclosed(Form No.1)

7. POWER TO INSPECT AND REGULATE SUPPLY:

(i) The Executive Engineer, incharge of the Irrigation work shall be the Irrigation Officer to exercise powers under Section-7.

(ii) The notice shall be issued in the prescribed form enclosed.--(Form-No.1)

8. POWER TO ENTER FOR REPAIRS AND TO PREVENT ACCIDENTS:

(i) The Executive Engineer in charge of the Irrigation work shall be the Irrigation Officer to exercise power under Section - 8.

(ii) The notice shall be issued in the prescribed form enclosed(Form No.1).

9. NOTICE TO OCCUPIER:

Any notice to be issued in exercise of powers under Sections 6, 7 and 8 by any Officer other than the Irrigation Officer acting under the general or special order of the Irrigation Officer shall not be an officer lower in rank than the Executive Engineer incharge of the work.

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10. MEANS OF CROSSING CANALS TO BE PROVIDED AND OBSTRUCTION TO DRAINAGE TO BE AVOIDED.

(i) The Superintending Engineer incharge of the Irrigation work shall be the Irrigation Officer for the purpose of this section.

(ii) The complaint regarding inadequacy of means of crossing shall be in writing to the Executive Engineer incharge of the Irrigation work. The Executive Engineer shall report to the Superintending Engineer incharge of the Irrigation work on this complaint within a period of 30 days from the date of receipt of complain in his office. The party who has complained for the inadequancy of crossing shall be intimated of the decision of the Superintending Engineer in writing within 60 days from the date of receipt of application in the Office of the Executive Engineer incharge of the work. Appeal against the decision of Irrigation Officer shall be to the Chief Engineer in charge of the Irrigation work whose decision shall be final.

11. IRRIGATION OFFICER MAY ISSUE ORDER TO PERSON CAUSING OBSTRUCTION:

(i) The Superintending Engineer incharge of the work shall be the Irrigation Officer to exercise powers under Section 12.

(ii) The period of notice under this section shall not be less than 30 days from the date of issue of notice.

12. IRRIGATION OFFICER MAY CAUSE OBSTRUCTION TO BE REMOVED:

(i) The Superintending Engineer incharge of the work shall be the Irrigation Officer to exercise power under Section-13.

(ii) The work of removal or modification of the ~~ob~~-obstruction shall be executed as if it were a "Deposit

Contribution" work.

(iii) The cost incurred on removal or modification executed as per sub-rule (2) of rule 12 shall be communicated in writing to the party under the signature of the Irrigation Officer.

(iv) The cost so communicated to the party shall be intimated by the Irrigation Officer to Deputy Commissioner of the District which shall recover as arrears of land Revenue.

When the person to whom an order is issued under section 13 does not pay the expenses required by the said section, the Irrigation Officer shall send a request to the Deputy Commissioner to cause the amount due to be recovered as arrears of land revenue.

CHAPTER - III.
FIELD CHANNELS.

13. DETERMINATION OF THE NEED FOR FIELD CHANNELS AND THEIR ALIGNMENT IN ANY AREA:

(i) The Executive Engineer in charge of the Irrigation work shall be Irrigation Officer for the purpose of this section/rule.

(ii) The notification under Sub-sections (1) and (2) shall be in the prescribed forms enclosed. Forms 2 & 3.

14. ACQUIRED LAND TO REMAIN AS PROPERTY OF GOVERNMENT.

(i) The Executive Engineer incharge of the work or any subordinate officer specially empowered acting under general or special order of the Executive Engineer shall cause boundary stones to be fixed.

(ii) Boundary stones, of size (6" x 6" x 2½' x 3') of which Boundary marks to be fixed under section 7 shall be of concrete blocks 2 feet long and six inches thick stone or concrete blocks shall be fixed at every point where the boundary of the lands for the field channels crosses the survey number or sub-division of a spot survey number and at every corner of the alignment, and at such other point as the Irrigation Officer may deem necessary.

(iii) It shall be the responsibility of the holder of the survey number or sub-division of a spot survey number, which the boundary shall to maintain the

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channels may be granted by the Irrigation Officer subject under the following conditions among others;

(a) The construction shall be according to the alignment, plan and section as approved by the Assistant Engineer.

(b) The applicant shall construct all masonry works as may be required like drops, crossings, control points ~~etc~~., according to the plans approved by the Irrigation Officer and shall construct the masonry works according to the approved P.W.D. Specifications.

(c) The boundary marks of the lands demarcated shall not be disturbed (d) and such other conditions as deemed necessary in the local Circumstances.

(v) Any person who desires to take action for the construction of field channel under section 18(b) shall apply to the Irrigation Officer in the prescribed form through the Tahasildar concerned. The Tahasildar shall forward such application to the Irrigation Officer within 15 days from the date of receipt of such application in his office.

(vi)If the title to the lands of the applicant to the land for which field channels are applied require a security for recovery of expenses incurred, the Tahasildar shall secure from the applicant such a security.

16. CONSTRUCTION OF FIELD CHANNEL ON DEPOSIT OF ESTIMATED COST:

(i) The Executive Engineer incharge of the Irrigation work shall be the Irrigation Officer to exercise power under Section - 19.

(ii) The Irrigation Officer may call upon the applicant in the prescribed form to deposit whole or part of the expenses towards construction of field channels.

(iii) The Irrigation Officer shall give a notice in the prescribed form about the completion of the field channel and of any sum payable by him on account of construction of field channel.

(iv) The issue of notice of completion of the field channel and of the sum ~~pxx~~ payable shall be given to the party through the Tahasildar of the Taluk concerned. A copy of such notice in form appendix VIII shall be given to the Deputy Commissioner also.

17. OBLIGATION OF PERSONS HAVING RIGHT TO USE THE FIELD CHANNELS:

The conditions, under which every user of the field channel and every person duly authorised under provision of the Act is entitled to have supply of water by the field channel, shall be:

(i) Suitable system of water channel shall be so maintained that water required for irrigation of any part of survey number can be applied directly from the field channel.

(ii) Water shall be drawn only from the assigned point on the field channel as approved by the Irrigation Officer.

(iii) The order in which water is supplied shall be subject to the general or special order of the Irrigation Officer who is the Executive Engineer in charge of the Irrigation work.

18. ARRANGEMENT WITH USER BY OTHER PERSON.

(i) The Executive Engineer incharge of Irrigation work shall be the Irrigation Officer for this rule.

(ii) Any person desiring to have supply of water through the field channel of which he has not acquired right to use may apply to the Irrigation Officer in the

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prescribed form. (Form No.9)

The application for permission to use the Field Channel or to be declared as the Joint owner thereof shall be submitted in the prescribed form through the Tahasildar of the Taluk concerned.

(iii)The Tahasildar shall forward the application to the Irrigation Officer within 15 days from the date of receipt of application.

19. IRRIGATION OFFICER AFTER ENQUIRY MAY AUTHORISE OR DECLARE APPLICANT TO BE JOINT USER.

(i) Notice shall be in the prescribed form. (Form No. 10)

(ii) The condition as to the payment shall be determined on the basis of average cost per acre incurred on the construction of field channel for the use of which permission is applied for or for which application is made for declaration as joint owner.

20. IF USER FAILS TO EXECUTE WORK OR TO REPAIR FIELD CHANNEL, IRRIGATION OFFICER MAY EXECUTE THE SAME.

(i) Notice shall be in the prescribed form. (Form No. 11)

(ii) Cost incurred by the Irrigation Officer in effecting repairs to field channels after due notice shall be intimated to the Tahasildar of the Taluk concerned for recovery of cost as arrears of land revenue.

(iii)Portion of the expense payable by the joint user or the party who is permitted to use the Field Channel shall be determined on the basis of average cost incurred per acre served by the field channel.

21. SETTLEMENT OF DISPUTES AS TO MUTUAL RIGHTS AND LIABILITIES OF PERSONS:

The enquiry prescribed under section 25 for settlement of disputes as to mutual rights and liabilities of persons by the Irrigation Officer shall be as under:-

A formal notice shall be issued by the Irrigation

Officer to all the parties concerned with seven days notice for being present themselves or by their authorised representatives at the appointed place, date and time and adduce all the evidence and records in support of their claims under dispute before the Irrigation Officer.

The evidence shall be taken down in full, in writing in Kannada or English or in any such language as may be prescribed by the State Government for use in the District or part of the District, by the Officer conducting the enquiry and shall be signed by him.

Where on account of physical disability or other reason to be recorded, the Officer conducting the enquiry does not take down in full in writing in his presence and hearing and under his personal superintendance and direction, and such record shall be signed by him.

Every decision or order after a formal inquiry shall contain a full statement of the grounds on which it is made or passed and shall be written and signed by the officer making the decision of passing the order or from the dictation of such officer in which case a certificate to that effect shall be made and signed by such Officer in his own hand.

Such orders shall be communicated in writing to the parties by post.

23. CONSEQUENCE OF FAILURE TO CONSTRUCT OR APPLY FOR CONSTRUCTION OF A FIELD CHANNEL.

(i) A notification under Section 26 shall be published in the prescribed form. The Irrigation Officer shall publish the notification by affixture on the Notice Board in his office and shall send a copy of such notification to the Tahasildar for publication in every village concerned through which the said field channel is taken.

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(ii) The Irrigation Officer shall intimate the Tahasildar, the cost incurred for the construction of Field Channel under Section 26, for recovery as an arrears of land revenue.

(iii) The recovery of cost shall be based on average cost incurred per acre of the lands benefitted in each case of Field Channels.

CHAPTER - IV.

REGULATION OF IRRIGATION.

REGULATION OF WATER SUPPLY FOR IRRIGATION WORKS.

(i) The Superintending Engi .gation works shall be Irrigation Officer for Major Irrigation works, and the Executive Engineer incharge of Irrigation works shall be the Irrigation Officer for Medium and Minor Irrigation works.

(ii) There may be Advisory Committees for Major Irrigation works and Committees for Medium and Minor Irrigation works together. The Committee for Major Irrigation Projects may consist of -

(1) The Divisional Commissioner of the area.
(2) The SuperintendingEngineer
(3) The Executive Engineer of the Project.
(4) The Deputy Commissioner of the District.
(5) The Deputy Director of Agriculture of the area.
(6) District Agricultural Officer of the Dist.
(7) M.L.As., and M.L.Cs., of the area.
(8) Taluk Board Members.
(9) Three Representative Atchkatdars.
(10) Deputy Registrar of Co-operative Societies.

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26. STOPPAGE OF WATER SUPPLY:

(i) The Superintending Engineer incharge of the work shall be the competent authority under Section 29 (a) and the Irrigation Officer under Section 29(c) for Major Irrigation works and the Executive Engineer incharge of the Irrigation work shall be competent authority under Section 29(a) and Irrigation Officer under Section 29(c) ~~and Irrigation Officer under Section 29(c)~~ for Medium and Minor works.

(ii) No Canal shall be closed for the execution of any repairs, alternations or additions thereto, except in case of emergency, without the previous sanction of the Superintending Engineer or of the Executive Engineer duly empowered in this behalf by the Superintending Engineer. The Superintending Engineer or Executive Engineer duly empowered shall fix the period or periods for which the supply of water may be stopped on account of the execution of such repairs etc. Every intended closure of a Canal shall as far as may be practicable, be notified atleast 8 days in advance. In case of emergency the Officer of the highest rank on the spot may close a canal and fix the said period or periods and shall report the matter to the Superintending Engineer.

27. REGULATION OF CULTIVATION ON WET LANDS:

(i) The Executive Engineer will be the Irrigation Officer under Section-31. The Irrigation Officer shall take action under Section 31 only after consulting the Committee if any appointed vide Rule 23 (Section 27).

(ii) The Executive Engineer shall, in the area within his jurisdiction, be the authority to determine whether water was made available or supplied or used.

28 Power to Prescribe the kind of crop to be grown under the Irrigation area and the period of Sowing such crop:—

: 15 :

The Superintending Engineer shall be the Irrigation Officer in respect of Major projects and Medium and Minor Irrigation works.

29. THE EXECUTIVE ENGINEER will be the Irrigation Officer in respect of Minor Irrigation works under Section 32.

C H A P T E R - V.

AWARD OF COMPENSATION:

29. LIMITATION OF CLAIM:

(i) Every claim for compensation of water rate under section 33(d) shall be preferred in writing to the Deputy Commissioner through the Executive Engineer incharge of the Irrigation Work.

(ii) Every claim for revision of water rate on damage to the crop may be preferred atleast one month before crop is likely to be cut.

(iii) If, without giving the Executive Engineer atleast 8 days notice in writing of his intention so to do, claiment cuts the crops alleged to have been damaged or to have failed at any time within 20 days for preferring his claim for revision, his claim may summarily be rejected.

(iv) In case of dispute regarding water supply or Remission or exemption of water rate the water gauges and meters maintained by the Irrigation Department shall if certified by the Executive Engineer to have been in good order during the period to which disputes relate be hold to furnish authoritative data for all calculations of discharge.

30. COMPENSATION FOR DAMAGE CAUSED BY ENTRY ON LAND ETC.,

The Executive Engineer shall be the Irrigation Officer for the purpose of Section - 35.

and military pensioners and of persons who appear to the Tahasildar to be under sixteen years or over fifty years of age shall not be included in such list and

(b) any land holder who is unaccustomed to manual labour shall be permitted when called to assist at any repair, clearance or work to furnish as substitute any able bodied person whose name is not in the list.

(iv) The Tahasildar shall cause the names of the persons holding land or residing in any villages within the area fixed under the above rule and included in a list of labourers to be posted in the village Office or in some other Public building in such village and to be proclaimed in the village by beat of drum.

(vi) Any person whose name is entered in a list of labourers may apply in writing to the Tahasildar to have his name removed therefrom. The Tahasildar after such inquiry(if any) as he thinks necessary, shall record his decision in writing rejecting or granting the application.

31. PAYMENT TO PERSONS REQUISITIONED:

The Assistant Engineer shall be the Canal Officer for the purpose of this Section(41).

C H A P T E R - VII.

MAINTENANCE OF IRRIGATION WORKS

32 Payment to Tungabhadra Board etc:-

The amount Collected as Cess in respect of Irrigation works maintained by the Tungabhadra Board or the Taluka Development ....18... Board or other authority shall be paid to them after deducting the Charges towards the Collection of the Cess, which may be ~~about~~ 5% of the amount so Collected.

C_H_A_P_T_E_R - VIII.

SAFE GAURDS FOR IRRIGATION WORKS:

32. LIMITATION IN RESPECT OF IRRIGATION WORKS:

The Irrigation Officer for Section 5, 6 and 7 shall be the Irrigation Officer for Section 46 also.

33. INTERFERENCE WITH THE FUNCTIONING OF CROSS DRAINAGE WORKS:

The Executive Engineer incharge of the work shall be the Irrigation Officer for the purpose of this rule (Section 47).

34. OBLIGATIONS OF OWNERS IN RESPECT OF WORKS AFFECTING SAFETY OF CANALS.

(i) The Executive Engineer incharge of the work shall be the Irrigation Officer for purpose of ~~this rule~~ (Sec(48).)

(ii) The period specified under Sub-Section(2) of section 48, shall not be less than 30 days.

35. MINING OR QUARRYING NEAR IRRIGATION WORKS:

The Superintending Engineer shall be the Irrigation Officer for the purpose of this section for Major Irrigation works and the Executive Engineer incharge of Irrigation work shall be Irrigation Officer for Medium and Minor irrigation works.

36. EXCAVATION OF WELLS NEAR IRRIGATION WORKS:

The Executive Engineer incharge of the Irrigation works shall be the Irrigation Officer for the purpose of this Section.

37. OPERATION OF SLUICE GATES ETC:

The Executive Engineer incharge of the Irrigation work shall be the Irrigation Officer for the purpose of ~~this rule~~ (Section-51).

43) Punishment for vexatious exercise of the power:-

The authorised officer to complain for prosecution under Sub-section 2 of section 58 shall be.-

(i) The Chief Engineer when the Irrigation Officer is Executive Engineer

(ii) The Divisional Commissioner when the Irrigation officer is Tahasildar or Executive officer of the Taluka Board.

39. FISHING AND PLYING OF BOATS ETC:

The Chief Engineer shall be the ~~Irrigation~~ empowered Officer for the purpose of this Section.

40. LETTING OUT OF WATER FROM CANAL PROHIBITED.

The Superintending Engineer shall be the Irrigation Officer for the purpose of this rule (Section - 53).

C H A P T E R - IX.

PENALTIES AND PROCEDURE.

40. OFFENCE UNDER THE ACT:

(i) No person shall pass, or cause any animal or vehicle to pass in or across the bank or channel of any canal at any place except where indicated by Notice erected under the order of the Executive Engineer in a conspicuous place.

(ii) In fixing places at which the passing in or across the bank or channel of a canal is permitted under the above rule, the Executive Engineer shall have careful regard to the reasonable convenience of the people residing or holding land in the vicinity who are required to cross the canal or water their animals.

(iii) Complaints regarding the Offences shall be made by any officer not below the rank of an Assistant Engineer who is incharge of the Irrigation work. Such complaints shall always be accompanied by a 'Panchanama' of the offences conducted by the Assistant Engineer in charge of the Irrigation work.

42. The Executive Engineer shall be the Irrigation Officer for the purpose under Section 56.

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C H A P T E R - X.

42. MISCELLANEOUS:

44. RECOVERY OF COST OF REPAIRING DAMAGE WHEN THE OFFENDER IS UNASCERTAINABLE:

The Executive Engineer incharge of the Irrigation work shall be the Irrigation Officer for the purpose of ~~this rule~~ (Section-63).

45. LIABILITY WHEN PERSON USING WATER UNAUTHORISEDLY CANNOT BE FOUND.

The Executive Engineer incharge of the Irrigation work shall be the Irrigation Officer for the purpose of ~~this rule~~ (Section - 64).

G_E_N_E_R_A_L

All the detailed instructions of the procedure within the Department may be defined in the Irrigation Manual. It may define the procedure for preparing water budget year to year, the procedure for holding 'Panchanama' for unauthorised irrigation and procedure for holding 'Panchanama' in cases of offences where the affender is not detectable etc.

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Ksd.4/9.

O. C. APPROVED
BY C. E.

Chief Engineer, P. W. D.
Irrigation Projects,

27/11/65

PWD. 63 C/B&R 64

Arbitrary Irrigation Rules

2.

Sri M. A. Sri Rama

Director of Printing

Stationery

Bangalore

27/11/65

27

GOVERNMENT OF MYSORE

M.CHANNAPPA,B.E.,AMIE(IND),
Deputy Secretary to Govt.
Public Works Dept.(Irrgn.)

Mysore Government Secretariat,
'VIDHANA SOUDHA'
Bangalore, dated the 24-Novr.1965

D.O.No.PWD.63 LBW.64
with draft Rules (Pages 1-20).

Dear Sir,

SUB:- The Mysore Irrigation Act, 1965
Draft Rules.

Extraordinary
no. 229

I am desired to enclosed herewith a draft copy of the Rules (in original) proposed to be published in Special Gazette on Monday the 29th November, 1965, and request you to take immediate needful action in the matter.

Sri Chandappa Patel, Secretary to Government, P.W.D. has already spoken to you on this matter. In view of urgency I have send the original draft rules along with my Superintendent Sri Basheer Ahmed, for taking immediate needful action at your end.

The draft rules now sent may kindly be returned when done with.

Yours sincerely,

27/11/65

To

Sri M.A.Sri Rama, M.A.,
Director of Printing &
Stationery, Govt.Press,
BANGALORE.

Given in person to Dr. Director -
25
27/11

FX NO: 224 - dated 29/11/65

27 27-11-65

NO PWD 63 LBW 64

NOTIFICATION

G.S.R. 743 The draft of the following Rules which the Government of Mysore proposes to make in exercise of the powers conferred by section 71 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), is hereby published for the information of persons likely to be affected thereby as required by sub-section (1) of the said section. and notice is hereby given that the draft will be taken into consideration on or after 15th December, 1965.

Objections or suggestions with respect to the said draft which may be received before the aforesaid date will be considered by the State Government. Objections or suggestions may be sent to the Secretary to the Government of Mysore, Public Works and Electricity Department, Vidhana Soudha, Bangalore-1.

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GAZETTE EXTRAORDINARY
No. 224 ... Dated 29-11-65
Gaz + (2551)

THE MYSORE IRRIGATION RULES, 1965 -

1. Title.- These Rules may be called The Mysore Irrigation Rules, 1965.

2. Definitions.- In these Rules, unless the context otherwise requires--

(a) "Act" means the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965);

(b) "Executive Engineer" means an Executive Engineer of the Public Works Department;

(c) ~~(b)~~ "Form" means a Form annexed to these rules;

(d) ~~(c)~~ "major irrigation work" means @ an Irrigation work costing more than rupees five crores.

@ to be filled up by the P.W.D. Dept

p.t.o.

Note Draft originals must return to Dept after publication in the Gazette

MM 27/11

(e) ~~(d)~~ "out-let" means an opening through which water passes from a bank, canal, branch canal, distributory or water course to a field-channel;

(f) ~~(e)~~ "section" means a section of the Act;

To be filled up by the W. Dept. (g) ~~(f)~~ "sectional officer" means an officer of P.W.D. Irrigation Branch not below the rank of a Junior Engineer or a Supervisor who is in charge of irrigation works.

(h) ~~(g)~~ "well" means a structure constructed for the purpose of tapping underground resources of water for the purpose of diversion and collection of surface flow of water.

Next page:-

Construction, control and maintenance of irrigation works.- (1) Any person desirous of constructing, controlling or maintaining reservoir, tank, anicut, bhandara, pond spring pond, ~~kannak~~ canal, field-channel, thalaparige, channel or aqueduct shall make an application for sanction to the State Government through the Executive Engineer having jurisdiction over irrigation works in the area concerned.

(2) Every application received by the Executive Engineer under ~~sub-section (1)~~ sub-rule (1) shall be forwarded by him with his remarks to the State Government as soon as possible after its receipt,

(3) On receipt of an application under sub-rule (2), the State Government shall, after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

4. Construction of ~~wells~~ wells in controlled areas.- (1) Any person desirous of constructing a ~~wall~~ well in any area notified under sub-section(2) of section 4 , shall make an application for sanction through the Executive Engineer having jurisdiction over irrigation works in the area concerned. Such application shall contain particulars regarding the location, purpose and general dimensions of the well.

(2) Every application received by the Executive Engineer under sub-rule (1) shall

as

as soon as possible after its receipt be forwarded by him with his remarks to the State Government or the authority authorised by it under ~~Chief Engineer~~ sub-section (2) of section 4.

(3) On receipt of an application under sub-rule (2), the ~~Chief Engineer~~ State Government or the authorised authority shall after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

5. Notice to occupier of building, etc.- The notice to an occupier of a building, enclosed court or garden attached to a dwelling house referred to in section 9, shall be in Form 1.

6. Procedure when person liable to pay expenses fails to make payment.- When a person to whom an order is issued under section 13 does not pay the expenses as required by the said section, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount due to be as an arrear of land revenue.

7. Notification under section 15.- A notification under sub-section (1) of section 15 shall be in Form 2 and a notification under sub-section (2) of section 15 shall in Form 3.

8. Fixation of boundary marks of lands acquired for field-channels.- The boundary marks to be fixed under section 17 shall be in blocks of 15.24cm x 15.24cm x 76.2 cm stones or concrete ~~marks, two feet long and six inches~~ x 91.44 cm (6" x 6" x 2½' x 3') thick, and the said ~~such~~ marks shall be fixed at every point where the boundary of the lands for the field channels crosses the survey number or sub-division of a survey number, ~~and~~

to be given in metric measurements by the P.W.Dept.

at every corner of the alignment and at such other points as the Irrigation Officer may deem necessary.

9. Maintenance of boundary marks.- (1) The holder of ~~the~~ a survey number or sub-division of a survey number in which boundary marks are ~~affixed~~ fixed shall be bound to maintain the boundary marks in position.

(2) A contravention of sub-rule(1) shall be an offence punishable under section 55.

10. Procedure for construction of field-channels.- (1) The period within which a field-channel may be constructed under clause (a) of section 18 or an application may be made under clause (b) of section 18, shall be sixty days from the date of vesting of the land in the State Government under section 17.

(2) As soon as may be after the land vests in the State Government under section 17 , the Irrigation Officer shall publish a notice in Form 4 by affixing a copy thereof on the notice board of his office and by causing ~~a~~ copies ~~copy~~ to be affixed in the office of the Tahsildar concerned, in the chavadies of the villages concerned and in such other conspicuous places as he deems fit.

(3) (a) Any person who desires to construct a field-channel at his own cost shall make an application in Form 5 under clause (a) of section 18 to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application, forward it to the Irrigation Officer along with his remarks as regards the accuracy

of the statements made in the application.

(b) After the receipt of an application under clause (a) the Irrigation Officer shall, after such inquiry as he deems fit, grant permission to construct the field-channel in Form ~~XIX~~ 6.

(4)(a) Any person who desires the construction of a field-channel on his behalf and at his ~~own~~ cost under clause (b) of section 18, shall make an application in Form ~~XXX~~ to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer, along with his remarks as regards the accuracy of the statements made in the application.

(b) On receipt of an application under clause (a), the Irrigation Officer may require the applicant to deposit the whole or any part of the expenses of construction of the field-channel by issuing a notice to him in Form ~~XXXXX~~ 8.

(c) On the completion of construction of the field-channel, the Irrigation Officer shall give to the applicant notice thereof and of the sum payable by him on account of the cost of constructing the field-channel in Form ~~XXX~~ 9.

(d) If the sum or any portion of the sum specified in the notice is not paid within the period specified in the notice, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount as an arrear of land revenue.

11. Declaration by Irrigation Officer that construction of field-channel will be made by the State Government.- (1) Where the person interested

fail to construct or apply for construction of a field-channel under section 18 within the period prescribed in sub-rule (1) of rule 10, the Irrigation Officer shall by notification in Form 10 make a declaration that such construction will be made by the State Government.

(2) Where a field-channel is constructed in pursuance of a declaration under sub-rule(1), the Irrigation Officer shall intimate the cost of such construction to the Deputy Commissioner and the Deputy Commissioner shall recover the cost of such construction from the holders and occupiers of the lands benefited by such field-channel as an arrear of land revenue.

12. Terms under which water may be used from field-channel. The terms subject to which every user of a field-channel and every person duly authorised to use a field-channel shall be entitled to have a supply of water by such field-channel shall be as follows:-

(i) a suitable system of water channel shall be maintained in such manner that water required for irrigation of any part of land in a survey number or sub-division of a survey number can be supplied directly from the field-channel;

(ii) Water shall not be drawn from the field-channel except from the points fixed by the Irrigation Officer;

(iii) the order in which water shall be supplied to the different lands from the field-channel shall be determined by the Irrigation Officer.

13. Arrangement for use of field-channel by other persons.- (1) An application to the Irrigation Officer for permission to use the field-channel or to be declared/a joint user thereof under section 21 shall be made in Form 11 through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the applicantion.

(2) On receipt of an application under sub-rule (1), the Irrigation Officer shall send a notice in Form 12 to the person having the right to use the field-channel to show cause why such permission should not be given or such declaration should not be made.

14. Notice under section 24(1).- A notice to be issued under sub-section (1) of section 24 shall be in Form 13.

15. Inquiry under section 25.- An inquiry to be made under sub-section (1) of section 25 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

16. Constitution of Consultative Committees under section 27.- (1) A Consultative Committee in respect of a major irrigation work shall consist of seven official members and eight non-official members, and the Chairman of the Committee shall be a member nominated by the State Government.

(2) The Consultative Committee in respect of an irrigation work other than a major irrigation work shall consist of four official members and five non-official members and the Chairman of the Committee shall be a member nominated by the State Government.

17. Application for permission to use water from irrigation work.- An application for permission to use water from an irrigation work under sub-section (1) of section 28 shall be in Form 14.

18. Competent authority for purposes of section 29.- The Superintending Engineer in charge of the work shall be the competent authority in respect of a major irrigation work and the Executive Engineer in charge of the work shall be the competent authority in respect of an other than a major irrigation work or irrigation works for purposes of clause (a) of section 29.

19. Regulation of cultivation.- Publication of order regulating continuation of wet land.- (1) An order under sub-section (1) of section 31 shall be published by affixture of a copy of such order on the notice board of the office of the Irrigation Officer and by causing affixture of copies of such order on the notice board of the office of the Tahsildar of the taluk and in the chavadies of the villages concerned.

(2) The Irrigation Officer shall determine the areas or lands or portions of the wet lands

in the irrigable area of an irrigation work to be cultivated with any crop or crops specified in sub-section (1) of section 31 in any year, within two months before the commencement of sowing operations for the cultivation of such crop or crops.

20. Preparation of list of able bodied persons who may be required for urgent works, repairs, etc.- (1) The Tahsildar of the taluk shall, from time to time, cause a list to be prepared of the able bodied persons who reside or hold land in or near the locality where any irrigation work exists, who can be called upon to assist in the execution of any work of repair or clearance under sub-section (1) of section 40.

(2) A copy of the list so prepared shall be affixed on the notice board of the office of the Tahsildar and in the chavadi of the village concerned.

21. Inquiry under section 43.- The inquiry to be made under the second proviso to section 43 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

22. Manner of payment of maintenance cess to Tungabhadra Board, etc.,- The amount collected as maintenance cess on lands benefited by any irrigation work maintained by the Tungabhadra Board, the Taluk Development Board or any other authority shall after the financial year in which the collection is made, be paid to the Tungabhadra

89-K.

FORM ~~H.O. 1~~ 1-

(See rule)

~~Form of~~ Notice of entry into Building or enclosed Court or Garden attached to Dwelling House under Section 6, 7 ~~and~~ & 8 of Mysore Irrigation Act 1965.

~~Notice~~
~~Section 6/7/8 Mysore Irrigation Act.~~

To

.....

.....

I, ... ~~Engineer~~ Irrigation Officer hereby give notice that it is proposed to enter into the building/enclosed Court/garden attached to dwelling house in Survey No..... of ..... village ..... Taluk ..... District ~~that~~ which is in your ~~purpose of~~ occupation for the purpose of .....
at ..... on .....

I request you to ~~please~~ allow any person acting on my behalf and under my orders to ~~conduct the necessary enquiry or examination.~~ (here enter the purpose)

..... ~~Engineer~~.
Irrigation Officer,...
.....

(~~Copy to:~~ 1. The Deputy Commissioner of .....District.
2. The Chief Engineer .....
3. The Superintending Engineer.
4. The ~~Assist~~ant Engineer ..... Sub Divn.

.....

H.J: 4-9:

41 44

FORM ~~NO.~~ 3

FORM NO..... OF NOTIFICATION UNDER SECTION 15(2) OF THE MYSORE IRRIGATION ACT 1965.

....

N O T I F I C A T I O N.

~~Section 15(2) Mysore Irrigation Act, 1965.~~

Whereas, in my opinion, it is necessary to occupy the lands specified in the Schedule hereto for construction of field channels under outlet No..... at Chain ..... of Distributary/Sub Distributary ..... for the purpose of supplying water to lands requiring such supply for purposes of irrigation and the lands have been marked out,

~~of Irrigation, I, Executive Engineer ..... Irrigation Officer ..... Division, therefor, under the power vested in me as Irrigation Officer under~~ Now, Therefore, in exercise of the powers conferred on me by sub-section (1) of section 15 of the Mysore Irrigation Act 1965 (Mysore Act 16 of 1965), ~~I, ... Irrigation Officer, ... hereby declare~~ declare that the said lands have been marked out for the construction of field channels.

~~FORM OF SCHEDULE UNDER SECTION 15 (2)~~

Sl. No.	Name of village.	Name of Taluk.	Name of District.	Survey No.	Area marked out for construction of field channels.
1	2	3	4	5	6

~~Executive Engineer,~~ Irrigation Officer,

..... Division.

Copy to: 1. The Tahsildar .... Taluk for information and Publication in every village through which the field channel passes ~~as per~~ in accordance with section 15(2) of the Act.

2. The Assistant Engineer ..... Sub Division.

3. The Deputy Commissioner ..... District.

4. The Superintending Engineer ..... Circle.

5. Notice Board.

H.J: 4-9:

42 / 42 / 43

Form 4

4.

FORM ~~NO. 12~~:

~~FORM OF~~ NOTIFICATION UNDER SECTION ~~15~~ 26 OF The MYSORE IRRIGATION ACT, 1965.

--:oOo:--

Notification

Whereas Lands required for construction of field channels from outlet No. . . . . of Distributary/Sub-Distributary ~~are required by Government~~ have been acquired by the State Government, ~~notice is given under the Mysore Irrigation Act, 1965 that~~ notice is hereby given that persons whose lands would be benefitted by the Construction of field channels should take ~~suitable~~ action under Section 18 (a) or 18 (b) of the Mysore Irrigation Act, 1965, (Mysore Act 11 of 1965) ~~within . . . . . days from the date of this notification.~~ before, for construction of a field channel or ~~apply for~~ by applying for construction of a field channel.

It is further notified that if no action is taken ~~for field channel for any land that would be benefitted by construction of such a field channel within the above specified period,~~ as aforesaid before the aforesaid date specified, a declaration will be made ~~for such lands under~~ under sub-section (1) of section 26 ~~(1)~~ of the Act ~~and action will be taken under 26 (2) of the Act.~~ that the construction of the field channels will be made by the State Government.

Irrigation Officer,
~~Executive Engineer~~
.....Division.

43
5 26/1/16

FORM ~~NO. 5.~~

~~FORM OF~~ APPLICATION UNDER SECTION 18(a) OF THE MYSORE IRRIGATION ACT, 1965.

...

To

The ~~Executive Engineer~~ Irrigation Officer,

.....

Through: The Tahasildar ..... Taluk.

I Sri/Smt. ..... resident of ..... Village ..... Taluk ..... District hereby make this application for permission to construct the field channel/Channels under Section 18(a) of the Mysore Irrigation Act, 1965, and the rules made thereunder. The details ~~for which~~ of the field channel/channels ~~are~~ to be constructed are as follows:-

Name of village.	Distributary No.	Water course No.	Outlet No.	Area of survey No.	~~Pot~~ Survey No.	Location of the area under application indicated by survey Nos. of lands at all boundaries.	The Survey No. ~~(s)~~ through which the field channel has to pass from outlet point to the land for which application is submitted.
1	2	3	4	5	6	7	8

I am ..... of the land for which this application is sent.

I agree to abide by all the conditions under which the permission is granted.

The name and address of the applicant to whom the orders on this application may be delivered are .....

Signature or left Hand Thumb Impression of the Applicant.

Dated:

1. Signature and address of witness.

2. Signature and Address of witness.

To be filled in my the Tahasildar:

Fowarded to the ~~Executive Engineer~~ Irrigation Officer, ... Division.

I certify that the ~~S~~statements ~~regarding~~ relating to the lands mentioned in the application ~~are~~ have been verified by me and I am satisfied that the applicant is ..... of the land for which field channel is to be constructed.

Tahasildar,
..... Taluk.

H.J: 4-9:

F O R M ~~N o. 5~~

~~FORM NO.~~ ..... PERMISSION TO CONSTRUCT FIELD CHANNELS UNDER SECTION 18(a) OF MYSORE IRRIGATION ACT, 1965.

....

Office of the ~~Executive Engineer~~, Irrigation Officer
Division.

To

Sir,

Sub:- Permission to construct field channel for survey No. ..... of ..... village ..... Taluk ....., District.

Ref:- Your application dated ..... ~~through the Tahsildar~~ ..... ~~Taluk~~.

...

Permission is ~~granted~~ to you to construct a field channel for survey No..... of ..... village ..... Taluk ..... District, subject to the following conditions, namely:—

(1) The field channel may be constructed under the general technical guidance of the Sectional Officer ..... Section;

~~The conditions under which the permission is granted are:~~

~~(2)~~ 1. The construction of the field channel shall be according to the plan, alignment and section as approved by the Assistant Engineer ..... Sub Division.

(3) ~~2~~. The applicant ~~is bound to~~ shall construct all the masonry works as may be required, ~~like~~ such as drops, crossings, and central points ~~etc~~. according to the plans approved by the Irrigation Officer and according to the standard specifications of the Public Works

4.6.21/19

Department.

(4) ~~3.~~ Boundary marks of the land of the field channel shall not be disturbed.

(5) (6) (7) ~~4. Note:-~~ The Irrigation Officer may impose such other conditions as may be necessary in the light of the local conditions.

Irrigation Officer,
~~Executive Engineer,~~

--------- Division.

Copy to: 1. The Assistant Engineer ..... Sub Divn.

2. The Tahasildar ..... Taluk.

4. Deputy Commissioner ..... District.

...

H.J: 4-9:

47 to 20

Appendix II Form 7

FORM ~~NO. 6.~~

~~FORM OF~~ APPLICATION FOR CONSTRUCTION OF FIELD CHANNEL BY THE ~~DEPARTMENT~~ State Government AT THE COST OF BENEFICIARY UNDER SECTION 18(b) OF THE MYSORE IRRIGATION ACT, 1965.

...

To

The ~~Executive Engineer~~, Irrigation Officer,

..... Division.

Through the Tahasildar ..... Taluk.

...

Sir,

I, Sri/Smt. ..... resident of ... village ..... Taluk ..... District hereby apply under section 18(a) of Mysore Irrigation Act, 1965, ~~Rules thereunder~~ that:-

(i) You may take on my behalf and at my cost all action that may be necessary to construct the field channel/channels for the lands the details of which are:

Name of village.	Name of Taluk.	Name of District.	Survey No.	Area of survey No.	Sub-S. ~~Pot~~ No.	Area of ~~pot~~ survey No.	Area to be irrigated.	Survey Nos. through which alignment of field channel passes from outlet point to the area to be irrigated.
1	2	3	4	5	6	7	8	9

(ii) I am ready to defray all the expenses necessary on such construction.

(iii) I agree to deposit, when called upon to do so, the whole or part of expenses.

I am ..... of the land for which this application is ~~sent~~ made.

Work 71

The name and the address of the applicant ~~to~~ to whom the orders on this application may be delivered are:-

Signature or left Hand Thumb Impression of Applicant.

1. Signature and Address of witness.

2. Signature and address of witness.

To be filled ~~in~~ in by the Tahasildar.

Forwarded to ~~Executive Engineer~~ the Irrigation officer ..... Division.

I certify that the statements ~~regarding~~ relating to the lands mentioned in the application ~~are~~ have been verified by me and I am satisfied that the applicant is ..... of the land for which this application is ~~sent~~ made.

~~A security for recovery of expenses is/is not taken from the applicant.~~

Tahasildar,

..... Taluk.

....

H.J: 4-9:

Appendix VII

FORM ~~H-0.8~~ Form 8

Notice requiring

~~APPLICATION OF COMMUNICATION CALLING UPON~~ DEPOSIT UNDER SECTION 19(1)

Irrigation Officer

Office of the ~~Executive Engineer~~,

..... Division.

To

Sri/Smt. .....

Ref:- His/her application dated .....
~~Through Tahasildar~~ ..... ~~Taluk~~.

...

You are required ~~please~~ to deposit at Government Treasury ..... a sum of Rs. .... being part/full cost of constructing the field channel/channels. The amount may be credited to fund head ..... The Challan in duplicate ~~may~~ should be ~~submitted~~ sent to the undersigned. ~~You are requested to please note the following conditions.~~ within fifteen days from the date of receipt of this letter.

for naming depositor the amount

1. ~~The cost indicated is approximate.~~
2. Any increase in cost of work for the field channel will have to be borne by the beneficiary.
3. In default thereof the amount shall be recoverable as arrears of land revenue.
4. If the deposit made under this section is in excess of the cost incurred in constructing the field channel/channels the excess amount deposited will be refunded to the depositor.
5. The deposit shall be remitted within 15 days ~~from the date of this letter~~.

Irrigation Officer

~~Executive Engineer~~,

..... Division.

Copy to: 1. The Tahasildar ..... Taluk.

2. The Assistant Engineer, ... Sub-Divn.

.....

H.J: 4-9:

Appendix VIII

FORM ~~No. 8.~~ 9.

~~FORM OF~~ NOTICE UNDER SECTION 19(1) of the ACT.

Office of the
~~Executive Engineer~~, Irrigation Officer
..... Division.

To

Sri/Smt. .....

.....

Ref:- Your application dated .....

~~This office letter dated~~ .....

...

Sir,

The construction of field channel/channels for survey No..... ~~Pot~~ Sub- Survey No..... of ..... Village ..... Taluk ..... District applied for in your application dated ..... ~~through the Tahasildar~~ ..... Taluk has been completed ~~in all respects.~~ by you

The total expenses incurred ~~in this~~ for the construction is Rs. ..... The amount due to Government in this connection is Rs..... after deducting the amount of Rs. ..... deposited by you towards the cost of ~~this~~ the construction.

You are requested ~~please~~ to deposit the balance of the amount due namely of Rs..... within ~~30~~ thirty days from the date of receipt of this letter.

It may ~~please~~ be noted that in default of the payment of the ~~balance amount~~ of said amount within the ~~date~~ period specified above, it will be recovered as arrears of land revenue.

Yours faithfully,

Irrigation Officer,
~~Executive Engineer~~,
..... Division.

Copy to: 1. The Tahasildar ..... Taluk.
2. Deputy Commissioner ..... District.
3. Assistant Engineer ..... Sub Divn.

....

H.J: 4-9:

Form XIII

FORM 10 ~~15~~ Form 10

~~Form of~~ Notification under Section 26 of Mysore Irrigation Act, 1965.

NOTIFICATIO

Whereas no action ~~is~~ has been taken ~~either~~ under section ~~18~~ 18 (a) or 18 (b) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), for a field channel in respect of survey No. . . . . of . . . . . village . . . . . Taluk . . . . . District, ~~I, Executive Engineer~~ Irrigation Officer, ~~Officer Engineer of~~ . . . . . ~~Division~~ Now, Therefore in exercise of ~~on under~~ the power vested in me ~~as Irrigation Officer~~ under section 26 of the Mysore Irrigation Act, (Mysore Act 16 of 1965), I, ... Irrigation Officer, hereby 1965, notify that the said field channel will be constructed by State Government ~~if no action is taken within 15 days of this notification.~~ after . . . . . (here specify the date)

Cost incurred in constructing the said field channel will be recovered as arrears of land Revenue from the ~~Holder~~ occupier of the lands benefitted by such field channels.

Irrigation Officer,
~~Executive Engineer~~,
. . . . . Division.

Appendix IX

FORM No. 9

~~Form of~~ Application for supply of water through a field channel of which the applicant has not acquired the right to use under section 21 of Mysore Irrigation Act 1965.

To

The ~~Executive Engineer,~~ Irrigation Officer,

. . . . . .

Through the Tahasildar . . . . . Taluk.

Sir

I, Sri/Smt. . . . . Resident of . . . . . village . . . . . Taluk. . . . . District apply for supply of water from the field/Channel/Channels of which I have not acquired any right so far for use and I may be accorded permission to use the field channel/Channels or ~~to~~ be declared as joint user of the field channel/Channels under Section 21 of the Mysore Irrigation Act, 1965, and the rules made thereunder.

Yours faithfully,

Applicant.

Name of village.	Taluk.	District.	Distributary No.	Water Course No.	Outlet No.
1	2	3	4	5	6

Sub-Survey No.	Survey Nos. through which the field channel passes from outlet to this Survey No.
7	8

I am .....of the land for which application is sent.

I am willing to pay the cost thereof as may be fixed by you ~~as the Irrigation Officer.~~

The name and address of the party to whom the order on this application may be delivered ~~is~~ are .....

Dated:-

Signature or Left Hand Thumb Impression of the Applicant.

1)

p.t.o.....

1) Signature and
address of witness.

2) Signature and
address of witness.

To be filled by the Tahasildar.

I certify that the statements ~~regarding~~ relating to the lands ~~in~~ mentioned in the application ~~are~~ have been verified by me and ~~I am~~ I am satisfied that the application is . . . . . of the land.

~~Security necessary towards recovery of~~ ~~taken from the applicant~~.

Tahasildar.

. . . . . Taluk.

Appendix X 12 54 ~~295~~

FORM ~~10.~~ 12

~~Form of~~ Notice under Section 22 of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer, ~~Executive Engineer,~~
.....Division.

To

Shri/Smt.

Sir,

Where as Sri/Smt. . . . . .beneficiary of Survey No. . . . . of . . . . . village . . . Taluk . . . . . .District, has applied for permission to use the field channel No. . . . . or to be declared as the joint user thereof; ~~and now therefor~~ Now, Therefore in exercise of the power ~~under power~~ vested in me under section 22 of the ~~Act~~ Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) ~~as Irrigation Officer,~~ I, ~~Executive Engineer~~ . . . Irrigation Officer, ~~Division~~ hereby serve a notice on you to show cause in writing within ~~30 days~~ thirty days from the date of service of this notice why such permission should not be accorded or such declaration should not be made.

Irrigation Officer ~~Executive Engineer,~~
. . . . . .Division.

Copy to the Tahasildar . . . . . Taluk.

Appendix XI

FORM ~~No. 11~~ 13 — 13

~~FORM OF~~ NOTICE UNDER SECTION ~~14(1)~~ 24(1)

Office of the ~~Executive Engineer~~, Irrigation Officer
.....Division.

To

Shri/Smt.

~~Sir~~,

Whereas ~~As~~ it has come to my notice that you have failed to fulfil the obligations imposed ~~under~~ by Clause (a) of sub-section (1) of section 20 of Mysore Irrigation Act, 1965, to maintain the field channel or channels under outlet No. . . . . at chain . . . . .of Distributary / Sub-distributary Watercourse No. . . . . in a fit State of repair; ~~I, Executive Engineer~~ Irrigation Officer . . . . . Now, Therefore, in exercise of the ~~Division, under~~ power vested in me ~~as irrigation officer~~, ~~hereby issue notice~~ under section 24(1) of the ~~Act and~~ Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), I, ... Irrigation Officer, . . . direct you to execute the necessary repair works within . . . . . days, failing which the same will be executed by ~~Department~~ me and all expenses incurred in the execution of such repairs will be recoverable from you as arrears of land revenue.

~~Executive Engineer~~ Irrigation Officer,
..... Division.

Copy to the Assistant Engineer.

Annexure XIV

FORM ~~No~~.14 — Form.14

J6 ~~28~~ 24/37

APPLICATION FOR WATER FOR IRRIGATION. Sec 28

No. of Application:

To

The Irrigation Officer,
~~Executive Engineer~~,
. . . . . .Division,
. . . . . .

I . . . . . resident of Village . . . . . Taluk . . . . . .District . . . . .make this application for supply of water from . . . . . canal for the purpose of Irrigation of the land ~~under mentioned I and~~ herein after described subject to the provisions of Mysore Irrigation Act, 1965 and any other law for the time being in force relating to irrigation and ~~all~~ the provisions of Mysore Irrigation Rules, 1965 and subject to the conditions specified on this application to which I agree:-

Name of village.	Name of Distributary.	Name of Sub-distributary.	Outlet No.	Survey No. and ~~Sub~~ Survey No.	Area of Survey No.
1	2	3	4	5	6

Area of holding.	Area to be Irrigated.	Crop	Period for which water is required.
7	8	9	10

2. I am the ..... of the lands for which water has been applied for, ~~above.~~

3. The name and address of the applicant to whom the orders on this application should be communicated are . . .

Dated:-

Singature or left Hand Thumb Impression of the applicant.

Signature of witness

(All the details of the application have to be filled up completed by the applicant)

Forwarded for sanction as follows:-

(1) Area to be sanctioned. (2) Period of sanction

From . . . . . .

To . . . . . .

(3) Water rate to be charged. Per Acre. . . .

Dated:

Sanctioned.

Signature.

Date: Signature.

INSTRUCTIONS:

1. The application ~~is to~~ should be submitted in duplicate to the ~~Executive Engineer~~ Irrigation Officer or to any Officer authorised by him to receive such applications. It may be presented ~~sent by hand~~ through a messenger personally, or sent by post.

2. When order is passed, the duplicate form will be returned to the applicant endorsed with the ~~Executive Engineer's~~ Irrigation officers order.

3. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders.(3) a person having the right to carry on irrigated cultivation of ~~the~~ land for the period of the sanction~~ed~~ or (4) a person duly authorised on behalf of any of these to receive such sanction.

4. The applicant must state ~~at No.2 on~~ in para 2 of the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. ~~He must also state at No.3 on the form the season up to and including which he has paid arrears of water rates. If he owes any water rates he must state the seasons or years for which he does so.~~ in para 3 of

5. ~~Any applicant may be required to furnish a Bond in form VIII~~ executed by two ~~suitable sureities or execute~~ a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under sanction. And he may also be required to obtain the assent of any person having an ~~interest in the land to be grant of sanction to him.~~ to to

6. S. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

....

58 30

CONDITIONS.

1 After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the ~~Executive Engineer~~ Irrigation officer, whether the area is irrigated or not, provided water was available during the period. No ~~other~~ water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the ~~to~~ of date of sanction to the application that water is not required. Irrigation officer within one month from the

2. Each type of crop (namely, sugarcane, ~~pan~~ betel leaves, ordinary perennial, two season and seasonal) shall be grown only to the extent of the sanction shown on the pass, but an equal area of any lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any rule of the Mysore Irrigation Rules, 1965, or of any of the conditions of this ~~form of~~ application. provision of the Mysore Irrigation Act, 1965 or of any

5. Water shall be given for the whole season if available, or at the discretion of the ~~Executive Engineer~~ Irrigation officer, for as many waterings as may be possible.

6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.

7. Water for any area of sugarcane sanctioned is subject to the condition that water is liable to be withheld from new sugarcane area after 31st May, if necessary. Each consecutive watering after 31st May shall require the sanction of the ~~Executive Engineer~~ Irrigation officer. Such sanction shall be accorded if water is available in the ~~tank~~ irrigation tank for agricultural purposes but if it is insufficent at any time of the seasons all further waterings may be stopped and the irrigation shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.

...

By order and in the name of the Governor of Mysore.

Secretary to Govt., P.W.D. & El. Dept

MAS
27/11/65.

Reg. No. B.G. 202.

The Mysore Gazette

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(EXTRAORDINARY)

PART IV—2C (i)

BANGALORE, MONDAY, NOVEMBER 29, 1965 (MARGASIRA 8, SAKA ERA 1887.) | No. 224

PUBLIC WORKS AND ELECTRICAL SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 27th November 1965.

G.S.R. 743.—The draft of the following Rules which the Government of Mysore proposes to make in exercise of the powers conferred by section 71 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), is hereby published for the information of persons likely to be affected thereby as required by sub-section (1) of the said section, and notice is hereby given that the draft will be taken into consideration on or after 15th December, 1965.

Objections or suggestions with respect to the said draft which may be received before the aforesaid date will be considered by the State Government. Objections or suggestions may be sent to the Secretary to the Government of Mysore, Public Works and Electricity Department. Vidhana Soudha, Bangalore-1.

THE MYSORE IRRIGATION RULES, 1965

1. **Title**.—These Rules may be called The Mysore Irrigation Rules, 1965.

2. **Definitions.**—In these Rules, unless the context otherwise requires.—

(*a*) "Act" means the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965);

(*b*) "Executive Engineer" means an Executive Engineer of the Public Works Department;

(*c*) "Form" means a Form annexed to these rules;

(*d*) "major irrigation work" means an Irrigation Work costing more than rupees five crores.

(*e*) "out-let" means an opening through which water passes from a tank, canal, branch canal, distributary or water course to a field-channel;

(*f*) "section" means a section of the Act;

(*g*) "sectional officer" means an officer of P. W. D. subordinate to Assistant Engineer and of the rank of a Junior Engineer or a Supervisor who is in charge of Irrigation Works

(*h*) "well" means a structure constructed for the purpose of tapping underground resources of water for the purpose of diversion and collection of surface flow of water.

3. **Construction, control and maintenance of irrigation works.**—(1) Any person desirous of constructing, controlling or maintaining a reservoir, tank, anicut, bhandara, pond, spring pond, canal, field-channel, talaparige, channel or aqueduct shall make an application for sanction to the State Government through the Executive Engineer having jurisdiction over irrigation works in the area concerned.

(2) Every application received by the Executive Engineer under sub-rule (1) shall as soon as possible after its

receipt, be forwarded by him with his remarks to the State Government.

(3) On receipt of an application under sub-rule (2), the State Government shall, after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

4. Construction of wells in controlled areas.—(1) Any person desirous of constructing a well in any area notified under sub-section (2) of section 4, shall make an application for sanction through the Executive Engineer having jurisdiction over irrigation works in the area concerned. Such application shall contain particulars regarding the location, purpose and general dimensions of the well.

(2) Every application received by the Executive Engineer under sub-rule (1) shall as soon as possible after its receipt be forwarded by him with his remarks to the State Government or the authority authorised by it under sub-section (2) of section 4.

(3) On receipt of an application under sub-rule (2), the State Government or the authorised authority shall after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

5. Notice to occupier of building, etc.—The notice to an occupier of a building, enclosed court or garden attached to a dwelling house referred to in section 9, shall be in Form 1.

6. Procedure when person liable to pay expenses fails to make payment.—When a person to whom an order is issued under section 13 does not pay the expenses as required by the said section, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount due to be as an arrear of land revenue.

7. Notification under section 15.—A notification under sub-section (1) of section 15 shall be in Form 2 and a notification under sub-section (2) of section 15 shall in Form 3.

8. Fixation of boundary marks of lands acquired for field-channels.—The boundary marks to be fixed under section 17 shall be in stones or concrete blocks, of 15.24 cm × 15.24 cm × 76.2 cm or 91.44 cm (6" × 6" × 2½' or 3') ~~(to be given in metric measurements by the P.W. Department)~~ thick, and the said marks shall be fixed at every point where the boundary of the lands for the field channels crosses the survey number or sub-division of a survey number, at every corner of the alignment and at such other points as the Irrigation Officer may deem necessary.

9. Maintenance of boundary marks.—(1) The holder of a survey number or sub-division of a survey number in which boundary marks are fixed shall be bound to maintain the boundary marks in position

(2) A contravention of sub-rule (1) shall be an offence punishable under section 55.

10. Procedure for construction of field-channels.—(1) The period within which a field-channel may be constructed under clause (a) of section 18 or an application may be made under clause (b) of section 18, shall be sixty days from the date of vesting of the land in the State Government under section 17.

(2) As soon as may be after the land vests in the State Government under section 17, the Irrigation Officer shall publish a notice in Form 4 by affixing a copy thereof on the notice board of his office and by causing copies to be affixed in the office of the Talsildar concerned, in the chavadies of the villages concerned and in such other conspicuous places as he deems fit.

63 1.

(3) (a) Any person who desires to construct a field-channel at his own cost shall make an application in Form 5 under clause (a) of section 18 to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application, forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(*b*) After the receipt of an application under clause (a), the Irrigation Officer shall after such inquiry as he deems fit, grant permission to construct the field-channel, in Form 6.

(4) (*a*) Any person who desires the construction of a field-channel on his behalf and at his cost under clause (b) of section 18, shall make an application in Form 7 to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(*b*) On receipt of an application under clause (a), the Irrigation Officer may require the applicant to deposit the whole or any part of the expenses of construction of the field-channel by issuing a notice to him in Form 8.

(*c*) On the completion of construction of the field-channel, the Irrigation Officer shall give to the applicant notice thereof and of the sum payable by him on account of the cost of constructing the field-channel in Form 9.

(*d*) If the sum or any portion of the sum specified in the notice is not paid within the period specified in the notice, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount as an arrear of land revenue.

11. Declaration by Irrigation Officer that construction of field-channel will be made by the State Government.—(1) Where the persons interested fail to construct or apply for

construction of a field-channel under section 18 within the period prescribed in sub-rule (1) of rule 10, the Irrigation Officer shall by notification in Form 10 make a declaration that such construction will be made by the State Government.

(2) Where a field-channel is constructed in pursuance of a declaration under sub-rule (1), the Irrigation Officer shall intimate the cost of such construction to the Deputy Commissioner and the Deputy Commissioner shall recover the cost of such construction from the holders and occupiers of the lands benefited by such field-channel as an arrear of land revenue.

12. Terms under which water may be used from field-channel.—The terms subject to which every user of a field-channel and every person duly authorised to use a field-channel shall be entitled to have a supply of water by such field-channel shall be as follows:—

(i) a suitable system of water channel shall be maintained in such manner that water required for irrigation of any part of land in a survey number or sub-division of a survey number can be supplied directly from the field-channel;

(ii) water shall not be drawn from the field-channel except from the points fixed by the Irrigation Officer;

(iii) the order in which water shall be supplied to the different lands from the field-channel shall be determined by the Irrigation Officer.

13. Arrangement for use of field-channel by other persons.—(1) An application to the Irrigation Officer for permission to use the field-channel or to be declared a joint user thereof under section 21 shall be made in Form 11 through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(2) On receipt of an application under sub-rule (1), the Irrigation Officer shall send a notice in Form 12 to the person having the right to use the field-channel to show cause why such permission should not be given or such declaration should not be made.

14. **Notice under section 24** (1).—A notice to be issued under sub-section (1) of section 24 shall be in Form 13.

15. **Inquiry under section 25.**—An inquiry to be made under sub-section (1) of section 25 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

16. **Constitution of Consultative Committees under section 27.**— (1) A Consultative Committee in respect of a major irrigation work shall consist of seven official members and eight non-official members, and the Chairman of the Committee shall be a member nominated by the State Government.

(2) The Consultative Committee in respect of an irrigation work other than a major irrigation work shall consist of four official members and five non-official members and the Chairman of the Committee shall be a member nominated by the State Government.

17. **Application for permission to use water from irrigation work.**—An application for permission to use water from an irrigation work under sub-section (1) of section 28 shall be in Form 14.

18. **Competent authority for purposes of section 29.**— The Superintending Engineer in charge of the work shall be the competent authority in respect of a major irrigation work and the Executive Engineer in charge of the work shall be the competent authority in respect of an irrigation work other than a major irrigation works for purposes of clause (a) of section 29.

19. **Regulation of cultivation.**—(1) An order under sub-section (1) of section 31 shall be published by affixture of a copy of such order on the notice board of the office of the Irrigation Officer and by causing affixture of copies of such order on the notice board of the office of the Tahsildar of the taluk and in the chavadies of the villages concerned.

(2) The Irrigation Officer shall determine the areas or lands or portions of the wet lands in the irrigable area of an irrigation work to be cultivated with any crop or crops specified in sub-section (1) of section 31 in any year, within two months before the commencement of sowing operations for the cultivation of such crop or crops.

20. **Preparation of list of able-bodied persons who may be required for urgent works, repairs, etc.**—(1) The Tahsildar of the taluk shall, from time to time, cause a list to be prepared of the able bodied persons who reside or hold land in or near the locality where any irrigation work exists, who can be called upon to assist in the execution of any work, repair or clearance under sub-section (1) of section 40.

(2) A copy of the list so prepared shall be affixed on the notice board of the office of the Tahsildar and in the chavadi of the village concerned.

21. **Inquiry under section 43.**—The inquiry to be made under the second proviso to section 43 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

22. **Manner of payment of maintenance cess to Tungabhadra Board, etc.**—The amount collected as maintenance cess on lands benefited by any irrigation work maintained by the Tungabhadra Board, the Taluk Development Board or any other authority shall after the financial year in which the collection is made, be paid to the Tungabhadra Board, the Taluk Development Board or other authority concerned in the form of grants by orders made by the State Government.

23. Passing of persons, animals or vehicles in or across canals.—(1) No person shall pass, or cause any animal or vehicle to pass in or across the bank, or channel of any irrigation work at any place except at a place fixed by the Executive Engineer. A notice Board shall be caused to be erected at the place so fixed by the Executive Engineer.

(2) In fixing places under sub-rule (1), the Executive Engineer shall have due regard to the reasonable convenience of the persons residing or holding lands in the vicinity who may have to cross the canal or provide water for their animals.

(3) A contravention of sub-rule (1), shall be an offence punishable under section 55.

24. Repeal and saving.—All rules corresponding to the foregoing rules continued in force by virtue of sub-section (1) of section 72 of the Act are hereby repealed; provided that the said repeal shall not affect the previous operation of the said rules and the provisions of section 6 of the Mysore General Clauses Act, 1899, shall be applicable as if the said rules had been repealed by a Mysore Act.

FORM 2

NOTIFICATION.

Notification Under Section 15 (1) of the Mysore Irrigation Act, 1965.

Whereas, I,..... Irrigation Officer,..... am satisfied that the construction of field channels for the lands specified in the Schedule hereto is necessary in public interest for supply of water to lands requiring such supply for purposes of cultivation from outlet No.....at Chainage.....of Distributary/Sub-Distributary.....

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,....., Irrigation Officer,.. .....hereby declare that the field channels may be constructed for this area after.. .....

SCHEDULE OF LANDS FOR WHICH FIELD CHANNELS ARE NECESSARY.

Name of District	Taluk	Name of Village	Survey No.	Area likely to be Irrigated
1	2	3	4	5

Irrigation Officer,
.....Division.

To

The compiler *Mysore Gazette*, for publication in the *Mysore Gazette*, dated 19

FORM 3.

Notification under Section 15 (2) of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas in my opinion, it is necessary to occupy the lands specified in the Schedule hereto for construction of field channels under outlet No.....at Chain.....of Distributary/Sub-Distributary... .....for purpose of supply of water to lands requiring such supply for purposes of cultivation, and such lands have been marked out.

NOW THEREFORE, in exercise of the powers conferred on me by sub-section (2) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) I..... ....., Irrigation Officer,.....hereby declare that the said lands have been marked out for the construction of field channels.

SCHEDULE.

Sl. No.	Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area marked out for construction of field channels.
1	2	3	4	5	6

Irrigation Officer,
....Division.

Copy to.—1. The Tahsildar.....Taluk for information and Publication in every village through which the field channel passes in accordance with section 15(2) of the Act.
2. The Assistant Engineer.....Sub Division.
3. The Deputy Commissioner.....District.
4. The Superintending Engineer.....Circle.
5. Notice Board.

FORM 4.

Notification under Section 26 of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas lands required for construction of field channels from outlet No.....of Distributary/Sub-Distributary have been acquired by the State Government, notice is hereby given that persons whose lands would be benefited by the construction of field channels should take action under Section 18 (*a*) or 18 (*b*) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) before....., for construction of a field channel or by applying for construction of a field channel.

It is further notified that if no action is taken as aforesaid before the date specified, declaration will be made under sub-section (1) of Section 26 of the Act that the construction of the field channels will be made by the State Government.

Irrigation Officer,
.....Division.

APPENDIX IV

FORM 5.

Application under Section 18 (a) of the Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

.....

Through: The Tahsildar.....Taluk.

I Sri/Smt..... resident of ..... Village....., ... Taluk.....District hereby make this application for permission to construct the field channel/channels under Section 18 (a) of the Mysore Irrigation Act, 1965, and the rules made thereunder. The details of the field channel/channels to be constructed are as follows :—

Name of Village	Distributary No.	Water course No.	Outlet No.	Area of survey No.	Sub-survey No.	Location of the area under application indicated by survey Nos. of lands at all boundaries.	The Survey No through which the field channel has to pass from outlet point to the land for which application is submitted.
1	2	3	4	5	6	7	8

I am.....of the land for which this application is sent.

I agree to abide by all the conditions under which the permission is granted.

The name and address of the applicant to whom the orders on this application may be delivered are.....

Dated :

Signature or left Hand Thumb Impression of the Applicant.

1. Signature and Address of witness.
2. Signature and Address of witness.

To be filled in by the Tahsildar

Forwarded to the Irrigation Officer,.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is.....of the land for which field channel is to be constructed.

Tahsildar,

.....Taluk.

FORM 6.

.....Permission to Construct Field Channel under Section 18(a) of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer
..... Division.

To

.. ..

....

Sir,

Sub :—Permission to construct field channel for survey No.....
....of.....village..... .....
Taluk..... .....District.

Ref:—Your application dated.....

Permission is granted to you to construct a field channel for survey No.....of.....village.....Taluk ... .District, subject to the following conditions, namely :—

(1) The field channel may be constructed under the general technical guidance of the Sectional Officer.....Section ;

(2) The construction of the field channel shall be according to the plan, alignment and section as approved by the Assistant Engineer..... .....Sub Division.

(3) The applicant shall construct all the masonry works as may be required, such as drops, crossings and central points according to the plans approved by the Irrigation Officer and according to the standard specifications of the Public Works Department.

(4) Boundary marks of the land of the field channel shall not be disturbed.

(5) (The Irrigation Officer may impose.

(6) such other conditions as may be necessary in the light.

(7) of the local conditions.)

Irrigation Officer,
.....Division.

Copy to :—

1. The Assistant Engineer..... Sub-Division.
2. The Tahsildar..... Taluk.
3. Deputy Commissioner..... District.

To

The Irrigation Officer.

.....Division.

Through the Tahsildar.... .....Taluk.

Sir,

I, Sri/Smt. ..... resident of..... Village .....Taluk.....District hereby apply under Section 18 (a) of Mysore Irrigation Act, 1965, that.—

(i) You may take on my behalf and at my cost all action that may be necessary to construct the field-channel/channels for the lands the details of which are :—

Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area of survey No.	Sub-Survey No.	Area of Sub-Survey No.	Area to be irrigated.	Survey Nos. through which alignments of field channel passes from outlet point to area to be irrigated.
1	2	3	4	5	6	7	8	9

(ii) I am ready to defray all the expenses necessary on such construction.

(iii) I agree to deposit, when called upon to do so, the whole or part of expenses.

I am.....of the land for which this application is made.

The name and the address of the applicant to whom the orders on this application may be delivered are :—

Signature or Left Hand Thumb
Impression of Applicant.

1. Signature and Address of witness.
2. Signature and Address of witness.

To be filled in by the Tahsildar.

Forwarded to the Irrigation Officer.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is.....of the land for which this application is made.

Tahsildar,
.....Taluk.

Ex. 224

Office of the Irrigation Officer.
.....Division.

To

Sri/Smt.....

Ref:—His/her application, dated.....

You are required to deposit at Government Treasury..... ....a sum of Rs.....being part/full cost of constructing the field channel/ channels. The amount may be credited to fund head..... ...The Challan for having deposited the amount in duplicate should be sent to the undersigned, within fifteen days from the date of receipt of this letter.

Irrigation Officer
.....Division

Copy to: 1. The Tahsildar.....Taluk.
2. The Assistant Engineer,.....Sub-Division.

APPENDIX VIII

FORM 9

Notice under Section 19 (1) of the Act.

Office of the Irrigation Officer,
.....Division.

To

Sri/Smt.....

.....

Ref:—Your application dated .

Sir,

The construction of field channel/channels for Survey No.....
Sub Survey No .....of .....Village.....Taluk.....
District applied for by you in your application dated.....
Taluk has been completed.

The total expenses incurred for the construction is Rs.....
The amount due to Goverement in this connection is Rs.....
after deducting the amount of Rs.....deposited by you towards the cost of the construction.

You are requested to deposit the balance of the amount due namely Rs.....within thirty days from the date of Receipt of this letter.

It may be noted that in default of the payment of the aforesaid amount within the period specified above, it will be recovered as arrears of land revenue.

Yours faithfully,

Irrigation Officer,
.....Division.

Copy to: 1. The Tahsildar.....Taluk
2. Deputy Commissioner.....District.
3. Assistant Engineer.....Sub-Division.

APPENDIX XIII

FORM 10

Notification under Section 26 of Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas no action has been taken under section 18 (a) or 18 (b) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), for the construction of a field channel in respect of survey No..... of..... .....village.....Taluk.....District;

Now, therefore in exercise of the power vested in me under Section 26 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,.....Irrigation Officer,.. ....., hereby notify that the said field channel will be constructed by State Government after ....(here specify the date).

Cost incurred in constructing the said field channel will be recovered as arrears of Land Revenue from the holder/occupier of the lands benefited by such field channel.

Irrigation Officer,
.....Division.

APPENDIX IX

FORM 11.

Application for supply of water through a field channel of which the applicant has not acquired the right to use under section 21 of Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

.....

Through the Tahasildar.....Taluk.

Sir,

I, Sri/Smt..... resident of.....village..... Taluk..... ...District apply for supply of water from the field channel/channels of which I have not acquired any right so far for use and I may be accorded permission to use the field channel/channels or/ be declared as joint user of the field channel/channels under section 21 of the Mysore Irrigation Act, 1965, and the rules made thereunder.

Yours faithfully,

Applicant.

District	Taluk	Name of village	Distributary No.	Water Course No.	Outlet No.
1	2	3	4	5	6

Sub-Survey No.	Survey Nos. through which the field channel passes from outlet to this Survey No.
7	8

I am.....of the land for which application is sent.

I am willing to pay the cost thereof as may be fixed by you.

The name and address of the party to whom the order on this application may be delivered are.....

Signature or Left Hand Thumb Impression
of the applicant.

Dated.—

1) Signature and Address of witness.

2) Signature and address of witness.

To be filled by the Tahsildar.-

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the application is.....of the land.

Tahsildar,

.....Taluk.

APPENDIX X.

FORM 12

Notice under Section 22 of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer,
.....Division.

To

Shri/Smt .....

Sir,

Whereas Sri/Smt.....beneficiary of Survey No.....of.....village.....Taluk..... District, has applied for permission to use the field channel No..... or to be declared as the joint user thereof;

Now, therefore in exercise of the power vested in me under Section 22 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) I..... .....Irrigation Officer,.....hereby serve notice on you to show cause in writing within thirty days from the date of service of this notice why such permission should not be accorded or such declaration should not be made.

Irrigation Officer,
.....Division.

Copy to the Tahsildar.....Taluk

APPENDIX XI.

FORM 13.

Notice under Section 24 (1).

Office of the Irrigation Officer
.....Division.

To

Shri/Smt.....

Whereas it has come to my notice that you have failed to fulfil the obligation imposed by clause (a) of sub-section (1) of Section 20 of Mysore Irrigation Act, 1965, to maintain the field channel or channels under outlet No.....at chain.....of Distributary/Sub-distributary Watercourse No .....in a fit state of repair ;

Now, therefore, in exercise of the power vested in me under Section 24 (1) of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), I..... .....Irrigation Officer,.....direct you to execute the necessary repair works within ... . days, failing which the same will be executed by me and all expenses incurred in the execution of such repair will be recoverable from you as arrears of land revenue.

Irrigation Officer,
.....Division.

Copy to the Assistant Engineer.

Subject :- The Mysore Irrigation Rules 1965 —

Published in the Extraordinary Gajettee dated 29th Nov 1965 - Suggestions called for.

Dear Sir,

In this you will see from

I am desired to ~~state that~~ to draw your attention to the draft of the Rules which the Govt of Mysore proposes to make in exercise of the powers conferred by Section 71 of the Mysore Irrigation Act 1965 (Mysore Act 16 of 1965) have been published in the Mysore Gazette (Extraordinary) dated 29.11.65 under notification no GSR 743 dt 27.11.65. ~~In connection with~~ ~~the said draft rules~~ and to forward to ~~Govt~~ them, after your suggestions/ remarks thereon in consideration of Govt. If your remarks are not received before 15th Dec 1965, it will be presumed that you have no remarks to offer.

Yours sincerely,

11/12/65

To

All the Divisional Commrs (By name)
The Dir. M. Vandana Rao
The Development Commr
~~The Director of Industries~~
~~The Director of Mines~~
The Special Secretary to Govt. Dept of Planning & Agriculture production.

3). The C.E. Dp (By name)
4) The C.E. (W) (By name)
5) The C.E. Investigation Projects (By name)

85

GOVERNMENT OF MYSORE
(Public Works Department)

Shri B.SUBRAMANYAM, B.Sc.,B.E.,
Deputy Chief Engineer,
(Major)
Irrigation Projects, Park House,
B A N G A L O R E -1.

Office of the
Chief Engineer, P.W.D.,
Irrigation Projects in Mysore
Bangalore.

Dated. 13-12-1965

D.O.No.IRN/ORD/TA5/1963-64/1594

Subject: The Mysore Irrigation Rules 1965 - Published in the Extraordinary Gazette dated 29th November, 1965 - suggestions called for -

Reference: 1) This office Letter No. IRN/ORD/996/TA5 dated - 9-9-65.

2) Your D.O.Letter Number PWD 63 LBW 64 dated 1-12-1965.

-:ooOoo:-

Dear Sri. Channappa,

MYSORE GOVT. SECRETARIAT
No. 2419
14 DEC 1965
P.W.D. (RECEIPT & ISSUE)

With reference to the above, I am directed to state that the Chief Engineer has no remarks to offer.

Yours

13/12

(B.Subramanyam)

13.12

To

Shri M.Channappa, B.E., A.M.I.E.,
Deputy Secretary to the Government
of Mysore, Public Works Department,
(Irrigation), Vidhana Soudha,
B A N G A L O R E -1.

13.12

Government of Mysore

Ref.No.IRR.9882/65-66.
Duplicate"

Office of the Divisional Commissioner,
Mysore Division,
Mysore, dated 14th December, 1965.

To

The Secretary to the Government of Mysore,
Public Works and Electricity Department,
"Vidhana Soudha," Bangalore.

Sir,

Sub: Draft Rules under the Mysore Irrigation Act - - suggestions.

MYSORE GOVT. SECRETARIAT
No. 2427
16 DEC 1965
P.W.D. (RECEIPT & ISSUE SECTION)

Ref: Notification No. GSR 743 dated 27th November, 1965.

2. D.O.No PWD 63 LBW 64, dated 1st December, 1965, of the Deputy Secretary to Government, PWD (Irrigation).

Copy

According to Section 71 of the Mysore Irrigation Act, 1965, the rules to be framed under the Act should provide for the following:

1. The amount of and charges to be made under this Act.

2. The economic use of water supplied from any irrigation work.

3. The manner in which and the officer by whom complaints as to the inadequacy of means of crossing shall be investigated under Section 10.

4. Regulating the period of opening and closing distributories and sub-distributories of irrigation works.

The draft rules now framed do not deal with the above aspects. It may be suggested in this connection that some fee can be levied for permission granted under Section 21. 28 etc.

2. The draft rules do not indicate the prescribed officer or the procedure under the following sections.

Section 28(5) - The authority to levy penal water rate for unauthorised use of water from an irrigation work.

Section 32(2): The manner of publication of a Notification under Section 32(2).

Section 46: The exceptions, if any, to the limitation in respect of irrigation works.

Section 52: The officers who are empowered to grant permission for fishing and plying boats in a reservoir, tank, canal etc., the fees to be levied thereof etc.

Section 58(2): The authority empowered to entertain complaints under Section 58(1).

3. Under Section 66, the Divisional Commissioner is empowered to exercise revisional powers over the Irrigation Officer and Deputy Commissioner. It may be clarified that this power is exercisable <u>suo motto</u> or on application and that no order of the Irrigation Officer or the Deputy Commis-ioner shall be modified annulled or reversed, unless notice has been served on the parties interested and opportunity given to them of being heard.

Yours faithfully,

14/12

(R. Rangiah.)
for Divisional Commissioner,
Mysore Division.

18/12/66

Government of Mysore

Ref.No.IRR.9882/65-66. Office of the Divisional Commissioner,
Mysore Division,
Mysore, dated 14th December. 1965.

To

The Secretary to the Government of Mysore,
Public Works and Electricity Department,
"Vidhana Soudha," Bangalore.

Sir,

Sub: Draft Rules under the Mysore Irrigation Act - - suggestions.

Ref: Notification No. GSR 743 dated 27th November, 1965.
2. PWD 63 LBW 64, dated 1st December, 1965, of the Deputy Secretary to Government, PWD (Irrigation).

According to Section 71 of the Mysore Irrigation Act, 1965, the rules to be framed under the Act should provide for the following:

1. The amount of and charges to be made under this Act.

2. The economic use of water supplied from any irrigation work.

3. The manner in which and the officer by whom complaint as to the inadequacy of means of crossing shall be investigated under Section 10.

4. Regulating the period of opening and closing distributories and sub-distributories of irrigation works.

The draft rules now framed do not deal with the above aspects. It may be suggested in this connection that some fe can be levied for permission granted under Section 21, 28 etc.

2. The draft rules do not indicate the prescribed officer or the procedure under the following sections.

Section 28(5) - The authority to levy penal water rate for unauthorised use of water from an irrigation work.

Section 32(2): The manner of publication of a Notification under Section 32(2).

Section 46: The exceptions, if any, to the limitation in respect of irrigation works.

Section 52: The officers who are empowered to grant permission for fishing and plying boats in a reservoir, tank, canal etc., the fees to be levied thereof etc.

Section 58(2): The authority empowered to entertain complaints under Section 58(1).

3. Under Section 66, the Divisional Commissioner is empowered to exercise revisional powers over the Irrigation Officer and Deputy Commissioner. It may be clarified that this power is exercisable suo motto or on application and that no order of the Irrigation Officer or the Deputy Commis-ioner shall be modified annulled or reversed, unless notice has been served on the parties interested and opportunity given to them of being heard.

Yours faithfully,

14/12

(R. Rangiah.)
for Divisional Commissioner,
Mysore Division.

14/12

C. F. No. 45]

GOVERNMENT OF MYSORE

Telegram Beldi com
phone 2/299

No. GB/I RR.
Encls.

OFFICE OF
The Divisional Commissioner
Belgaum Division, Belgaum

Date 18th Dec. 1965.

To

The Secretary to Government,
Public Works Department (Irrigation),
Vidhana Soudha, Bangalore.

Sir,

Sub: The Mysore Irrigation Rules, 1965 published in the Extraordinary Gazette dated 29-11-1965. Suggestions regarding the ...

Reference D.O. letter No.PWD 63 LBW 64 dated 1-12-1965, on the above subject.

2. I have no suggestions or remarks to offer in the matter.

Yours faithfully,

(A.M.Patil)

As approved by the Divl. Commr. } for Divisional Commissioner, Belgaum.

nss.

Draft:

Notification

~~and~~ In supersession of Govt. Notification No. ~~PWD 63 LDW 64~~ G.S.R.743, dated the 27.11.65 published in the Gazette (Extraordinary), dated 29.11.65, ~~under No. G.S.R.743,~~ Govt. of Mysore, proposes to make in exercise of the powers conferred by Section 71 of the Mysore Irrigation Act. 1965 (Mysore Act 16 of 1965), the draft of the following Rules which is ~~(as corrected) and the same~~ is hereby ~~again~~ published for the information of persons likely to be affected thereby as required by sub-section (1) of the said section, and the notice is hereby given that the draft will be taken on consideration on or after 29.12.1965.

Objections or suggestions with respect to the said draft which may be received before the above said date will be considered by the State Government. Objections or suggestions may be sent to the Secretary to the Govt. of Mysore, Public works & Elec. Department, Vidhana Soudha, Bangalore-1.

Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

~~PART IV-2C(1)~~ Bangalore Monday Dec 20. 1965.

~~BANGALORE, MONDAY, NOVEMBER 29, 1965~~ (MARGASIRA 8, SAKA ERA ~~1887~~.) No. ~~224~~

PUBLIC WORKS AND ELECTRICAL SECRETARIAT.

NOTIFICATION. ~~Dt~~ 18.12.65

In exercise of the powers conferred by Section 71 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the ~~Govt~~ Government of Mysore hereby makes the following rules, the draft of the same having been previously published in Notification No. PWD.63 LBW 64 dated ~~29-11-1965~~ 20th Dec 18th December 1965 ~~in the Mysore Gazette dated 29-12-1965 (Extraordinary)~~ as G.S.R 773 in Part-IV-2 C(1) of the Mysore Gazette dated 20-12-65 as required by sub-section(1) of the said section, ~~namely~~:-

Cir 20th Dec 1965.
PTO

THE MYSORE IRRIGATION RULES, 1965

1. Title.—These Rules may be called The Mysore Irrigation Rules, 1965.

2. Definitions.—In these Rules, unless the context otherwise requires,—

(*a*) "Act" means the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965);

(*b*) "Executive Engineer" means an Executive Engineer of the Public Works Department;

(*c*) "Form" means a Form annexed to these rules;

(*d*) "major irrigation work" means an Irrigation Work costing more than rupees five crores.

(*e*) "out-let" means an opening through which water passes from a tank, canal, branch canal, distributary or water course to a field-channel;

(*f*) "section" means a section of the Act;

(*g*) "sectional officer" means an officer of the Public Works Department subordinate to Assistant Engineer and of the rank of a Junior Engineer or a Supervisor who is in charge of Irrigation Work;

(*h*) "well" means a structure constructed for the purpose of tapping underground resources of water for the purpose of diversion and collection of surface flow of water.

3. Construction, control and maintenance of irrigation works.—(1) Any person desirous of constructing, controlling or maintaining a reservoir, tank, anicut, bhandara, pond, spring pond, canal, field-channel, talaparige, channel or aqueduct shall make an application for sanction to the State Government through the Executive Engineer having jurisdiction over irrigation works in the area concerned.

(2) Every application received by the Executive Engineer under sub-rule (1), shall as soon as possible after its

receipt, be forwarded by him with his remarks to the State Government.

(3) On receipt of an application under sub-rule (2), the State Government shall, after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

4. Construction of wells in controlled areas.—(1) Any person desirous of constructing a well in any area notified under sub-section (2) of section 4, shall make an application for sanction through the Executive Engineer having jurisdiction over irrigation works in the area concerned. Such application shall contain particulars regarding the location, purpose and general dimensions of the well.

(2) Every application received by the Executive Engineer under sub-rule (1), shall as soon as possible after its receipt, be forwarded by him with his remarks to the State Government or the authority authorised by it under sub-section (2) of section 4.

(3) On receipt of an application under sub-rule (2), the State Government or the authorised authority shall after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

5. Notice to occupier of building, etc.—The notice to an occupier of a building, enclosed court or garden attached to a dwelling house referred to in section 9, shall be in Form 1.

6. Procedure when person liable to pay expenses fails to make payment.—When a person to whom an order is issued under section 13 does not pay the expenses as required by the said section, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount due to be as an arrear of land revenue.

construction of a field-channel under section 18 within the period prescribed in sub-rule (1) of rule 10, the Irrigation Officer shall by notification in Form 10 make a declaration that such construction will be made by the State Government.

(2) Where a field-channel is constructed in pursuance of a declaration under sub-rule (1), the Irrigation Officer shall intimate the cost of such construction to the Deputy Commissioner and the Deputy Commissioner shall recover the cost of such construction from the holders and occupiers of the lands benefited by such field-channel as an arrear of land revenue.

12. Terms under which water may be used from field-channel.—The terms subject to which every user of a field-channel and every person duly authorised to use a field-channel shall be entitled to have a supply of water by such field-channel shall be as follows:—

(i) a suitable system of water channel shall be maintained in such manner that water required for irrigation of any part of land in a survey number or sub-division of a survey number can be supplied directly from the field-channel;

(ii) water shall not be drawn from the field-channel except from the points fixed by the Irrigation Officer;

(iii) the order in which water shall be supplied to the different lands from the field-channel shall be determined by the Irrigation Officer.

13. Arrangement for use of field-channel by other persons.—(1) An application to the Irrigation Officer for permission to use the field-channel or to be declared a joint user thereof under section 21 shall be made in Form 11 through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(2) On receipt of an application under sub-rule (1), the Irrigation Officer shall send a notice in Form 12 to the person having the right to use the field-channel to show cause why such permission should not be given or such declaration should not be made.

14. Notice under section 24 (1).—A notice to be issued under sub-section (1) of section 24 shall be in Form 13.

15. Inquiry under section 25.—An inquiry to be made under sub-section (1) of section 25 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

16. Constitution of Consultative Committees under section 27.— (1) A Consultative Committee in respect of a major irrigation work shall consist of seven official members and eight non-official members, and the Chairman of the Committee shall be a member nominated by the State Government.

(2) The Consultative Committee in respect of an irrigation work other than a major irrigation work shall consist of four official members and five non-official members and the Chairman of the Committee shall be a member nominated by the State Government.

17. Application for permission to use water from irrigation work.—An application for permission to use water from an irrigation work under sub-section (1) of section 28 shall be in Form 14.

18. Competent authority for purposes of section 29.— The Superintending Engineer in charge of the work shall be the competent authority in respect of a major irrigation work and the Executive Engineer in charge of the work shall be the competent authority in respect of an irrigation work other than a major irrigation works for purposes of clause (a) of section 29.

19. Regulation of cultivation.—(1) An order under sub-section (1) of section 31 shall be published by affixture of a copy of such order on the notice board of the office of the Irrigation Officer and by causing affixture of copies of such order on the notice board of the office of the Tahsildar of the taluk and in the chavadies of the villages concerned.

(2) The Irrigation Officer shall determine the areas or lands or portions of the wet lands in the irrigable area of an irrigation work to be cultivated with any crop or crops specified in sub-section (1) of section 31 in any year, within two months before the commencement of sowing operations for the cultivation of such crop or crops.

20. Preparation of list of able-bodied persons who may be required for urgent works, repairs, etc.—(1) The Tahsildar of the taluk shall, from time to time, cause a list to be prepared of the able bodied persons who reside or hold land in or near the locality where any irrigation work exists, who can be called upon to assist in the execution of any work, repair or clearance under sub-section (1) of section 40.

(2) A copy of the list so prepared shall be affixed on the notice board of the office of the Tahsildar and in the chavadi of the village concerned.

21. Inquiry under section 43.—The inquiry to be made under the second proviso to section 43 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

22. Manner of payment of maintenance cess to Tungabhadra Board, etc.—The amount collected as maintenance cess on lands benefited by any irrigation work maintained by the Tungabhadra Board, the Taluk Development Board or any other authority shall after the financial year in which the collection is made, be paid to the Tungabhadra Board, the Taluk Development Board or other authority concerned in the form of grants by orders made by the State Government.

23. Passing of persons, animals or vehicles in or across canals.—(1) No person shall pass, or cause any animal or vehicle to pass in or across the bank, or channel of any irrigation work at any place except at a place fixed by the Executive Engineer. A notice Board shall be caused to be erected at the place so fixed by the Executive Engineer.

(2) In fixing places under sub-rule (1), the Executive Engineer shall have due regard to the reasonable convenience of the persons residing or holding lands in the vicinity who may have to cross the canal or provide water for their animals.

(3) A contravention of sub-rule (1), shall be an offence punishable under section 55.

24. Repeal and saving.—All rules corresponding to the foregoing rules continued in force by virtue of sub-section (1) of section 72 of the Act are hereby repealed; provided that the said repeal shall not affect the previous operation of the said rules and the provisions of section 6 of the Mysore General Clauses Act, 1899, shall be applicable as if the said rules had been repealed by a Mysore Act.

FORM 1

(*See* rule 1)

Notice of entry in to Building or enclosed Court or Garden attached to Dwelling House under Section 6, 7 or 8 of Mysore Irrigation Act, 1965.

To

.....

.....

I,.....Irrigation Officer,.....hereby give notice that it is proposed to enter into the building/enclosed court/ garden attached to dwelling house in survey No.....of..... ..... Village.....Taluk..... .....District which is in your occupation for the purpose of.....at.....on..... .....

I request you to allow any person acting on my behalf and under my orders to (here enter the purpose).....

Irrigation Officer,

....

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FORM 2

NOTIFICATION.

Notification Under Section 15 (1) of the Mysore Irrigation Act, 1965.

Whereas, I,..... Irrigation Officer,..... am satisfied that the construction of field channels for the lands specified in the Schedule hereto is necessary in public interest for supply of water to lands requiring such supply for purposes of cultivation from outlet No.....at Chainage.....of Distributary/Sub-Distributary.....

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,....., Irrigation Officer,.. .....hereby declare that the field channels may be constructed for this area after.. .....

SCHEDULE OF LANDS FOR WHICH FIELD CHANNELS ARE NECESSARY.

Name of District	Taluk	Name of Village	Survey No.	Area likely to be Irrigated
1	2	3	4	5

Irrigation Officer,
.....Division.

To

The compiler *Mysore Gazette*, for publication in the *Mysore Gazette*, dated .....19 .

FORM 3.

Notification under Section 15 (2) of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas in my opinion, it is necessary to occupy the lands specified in the Schedule hereto for construction of field channels under outlet No.....at Chain.....of Distributary/Sub-Distributary..... .....for purpose of supply of water to lands requiring such supply for purposes of cultivation, and such lands have been marked out.

NOW THEREFORE, in exercise of the powers conferred on me by sub-section 2) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965 I..... ....., Irrigation Officer,.....hereby declare that the said lands have been marked out for the construction of field channels.

SCHEDULE.

Sl. No.	Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area marked out for construction of field channels.
1	2	3	4	5	6

Irrigation Officer,
.....Division.

Copy to.—1. The Tahsildar.....Taluk for information and Publication in every village through which the field channel passes in accordance with section 15(2) of the Act.
2. The Assistant Engineer.....Sub Division.
3. The Deputy Commissioner.....District.
4. The Superintending Engineer.....Circle.
5. Notice Board.

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FORM 4.

Notification under Section 26 of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas lands required for construction of field channels from outlet No.....of Distributary/Sub-Distributary have been acquired by the State Government, notice is hereby given that persons whose lands would be benefited by the construction of field channels should take action under Section 18 (*a*) or 18 (*b*) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) before....., for construction of a field channel or by applying for construction of a field channel.

It is further notified that if no action is taken as aforesaid before the date specified, declaration will be made under sub-section (1) of Section 26 of the Act that the construction of the field channels will be made by the State Government.

Irrigation Officer,
.....Division.

APPENDIX IV

FORM 5.

Application under Section 18 (a) of the Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

....

Through: The Tahsildar.....Taluk.

I Sri/Smt..... resident of ..... Village....., ... Taluk.....District hereby make this application for permission to construct the field channel/channels under Section 18 (a) of the Mysore Irrigation Act, 1965, and the rules made thereunder. The details of the field channel/channels to be constructed are as follows :—

Name of Village	Distributary No.	Water course No.	Outlet No.	Area of survey No.	Sub-survey No.	Location of the area under application indicated by survey Nos. of lands at all boundaries.	The Survey No. through which the field channel has to pass from outlet point to the land for which application is submitted.
1	2	3	4	5	6	7	8

I am.....of the land for which this application is sent.

I agree to abide by all the conditions under which the permission is granted.

The name and address of the applicant to whom the orders on this application may be delivered are..... .....

Dated :

Signature or left Hand Thumb Impression of the Applicant.

1. Signature and Address of witness.
2. Signature and Address of witness.

To be filled in by the Tahsildar

Forwarded to the Irrigation Officer,.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is.....of the land for which field channel is to be constructed.

Tahsildar,

.....Taluk.

FORM 6.

.....Permission to Construct Field Channel under Section 18(a) of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer
..... Division.

To

.....

Sir,

Sub :—Permission to construct field channel for survey No..... ....of.....village..... ..... Taluk..... .....District.

Ref :—Your application dated.....

Permission is granted to you to construct a field channel for survey No.....of.....village.....Taluk .....District, subject to the following conditions, namely :—

(1) The field channel may be constructed under the general technical guidance of the Sectional Officer.....Section ;

(2) The construction of the field channel shall be according to the plan, alignment and section as approved by the Assistant Engineer..... .....Sub Division.

(3) The applicant shall construct all the masonry works as may be required, such as drops, crossings and central points according to the plans approved by the Irrigation Officer and according to the standard specifications of the Public Works Department.

(4) Boundary marks of the land of the field channel shall not be disturbed.

(5) (The Irrigation Officer may impose.

(6) such other conditions as may be necessary in the light.

(7) of the local conditions.)

Irrigation Officer,
.....Division,

Copy to :—

1. The Assistant Engineer..... Sub-Division.
2. The Tahsildar..... Taluk.
3. Deputy Commissioner..... District.

APPENDIX II.

FORM 7

Application for Construction of Field Channel by the State Government at the cost of beneficiary under Section 18 (b) of the Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

.....Division.

Through the Tahsildar.....Taluk.

Sir,

I, Sri/Smt. ..... resident of..... Village .....Taluk..... .....District hereby apply under Section 18 (a) of Mysore Irrigation Act, 1965, that.—

(i) You may take on my behalf and at my cost all action that may be necessary to construct the field-channel/channels for the lands the details of which are :—

Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area of survey No.	Sub-Survey No.	Area of Sub-Survey No.	Area to be irrigated.	Survey Nos. through which alignment of field channel passes from outlet point to area to be irrigated.
1	2	3	4	5	6	7	8	9

(ii) I am ready to defray all the expenses necessary on such construction.

(iii) I agree to deposit, when called upon to do so, the whole or part of expenses.

I am.....of the land for which this application is made.

The name and the address of the applicant to whom the orders on this application may be delivered are :—

Signature or Left Hand Thumb
Impression of Applicant.

1. Signature and Address of witness.
2. Signature and Address of witness.

To be filled in by the Tahsildar.

Forwarded to the Irrigation Officer.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is.....of the land for which this application is made.

Tahsildar,
.....Taluk.

APPENDIX VII

FORM 8

Notice Requiring Deposit under Section 19 (1)

Office of the Irrigation Officer,
.....Division.

To

Sri/Smt.....

Ref:—His/her application, dated.....

You are required to deposit at Government Treasury..... ....a sum of Rs.....being part/full cost of constructing the field channel/ channels. The amount may be credited to fund head..... ...The Challan for having deposited the amount in duplicate should be sent to the undersigned, within fifteen days from the date of receipt of this letter.

Irrigation Officer
.....Division

Copy to: 1. The Tahsildar.....Taluk.
2. The Assistant Engineer,.....Sub-Division.

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APPENDIX VIII

FORM 9

Notice under Section 19 (1) of the Act.

Office of the Irrigation Officer,
.....Division.

To

Sri/Smt.....

.....

Ref:—Your application dated .....

Sir,

The construction of field channel/channels for Survey No.....
Sub-Survey No.....of .....Village.....Taluk.....
District applied for by you in your application dated.....
Taluk has been completed.

The total expenses incurred for the construction is Rs.....
The amount due to Government in this connection is Rs.....
after deducting the amount of Rs..... .....deposited by you towards the cost of the construction.

You are requested to deposit the balance of the amount due namely Rs.....within thirty days from the date of Receipt of this letter.

It may be noted that in default of the payment of the aforesaid amount within the period specified above, it will be recovered as arrears of land revenue.

Yours faithfully,

Irrigation Officer,
.....Division.

Copy to: 1. The Tahsildar.....Taluk
2. Deputy Commissioner.....District.
3. Assistant Engineer..... Sub-Division.

APPENDIX XIII

FORM 10

Notification under Section 26 of Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas no action has been taken under section 18 (a) or 18 (b) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), for the construction of a field channel in respect of survey No..... of..... .....village.....Taluk.....District;

Now, therefore in exercise of the power vested in me under Section 26 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,.....Irrigation Officer,.. ....., hereby notify that the said field channel will be constructed by State Government after ....(here specify the date).

Cost incurred in constructing the said field channel will be recovered as arrears of Land Revenue from the holder/occupier of the lands benefited by such field channel.

Irrigation Officer,
.....Division.

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APPENDIX IX

FORM 11

Application for supply of water through a field channel of which the applicant has not acquired the right to use under section 21 of Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

....

Through the Tahasildar.....Taluk.

Sir,

I, Sri/Smt.....: resident of.....village..... Taluk..... ...District apply for supply of water from the field channel/channels of which I have not acquired any right so far for use and I may be accorded permission to use the field channel/channels or/ be declared as joint user of the field channel/channels under section 21 of the Mysore Irrigation Act, 1965, and the rules made thereunder.

Yours faithfully,

Applicant.

District	Taluk	Name of village	Distributary No.	Water Course No.	Outlet No.
1	2	3	4	5	6

Sub-Survey No.	Survey Nos. through which the field channel passes from outlet to this Survey No.
7	8

I am.....of the land for which application is sent.

I am willing to pay the cost thereof as may be fixed by you.

The name and address of the party to whom the order on this application may be delivered are.....

Signature or Left Hand Thumb Impression
Dated.— of the applicant.

1) Signature and Address of witness.

2) Signature and address of witness.

To be filled by the Tahsildar.—

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the application is.....of the land.

Tahsildar,

.....Taluk.

APPENDIX X

FORM 12

Notice under Section 22 of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer,
.....Division.

To

Shri/Smt .....

Sir,

Whereas Sri/Smt.....beneficiary of Survey No.....of.....village.....Taluk..... District, has applied for permission to use the field channel No..... or to be declared as the joint user thereof;

Now, therefore in exercise of the power vested in me under Section 22 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) I..... .....Irrigation Officer,.....hereby serve notice on you to show cause in writing within thirty days from the date of service of this notice why such permission should not be accorded or such declaration should not be made.

Irrigation Officer,
.....Division

Copy to the Tahsildar.....Taluk

APPENDIX XI.

FORM 13.

Notice under Section 24 (1).

Office of the Irrigation Officer
.....Division.

To

Shri/Smt.....

Whereas it has come to my notice that you have failed to fulfil the obligation imposed by clause (a) of sub-section (1) of Section 20 of Mysore Irrigation Act, 1965, to maintain the field channel or channels under outlet No.....at chain.....of Distributary/Sub-distributary Watercourse No .....in a fit state of repair ;

Now, therefore, in exercise of the power vested in me under Section 24 (1) of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), I ....Irrigation Officer,.....direct you to execute the necessary repair works within ..... . days, failing which the same will be executed by me and all expenses incurred in the execution of such repair will be recoverable from you as arrears of land revenue.

Irrigation Officer,
.. ..Division.

Copy to the Assistant Engineer.

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APPENDIX XIV.

FORM 14.

Application for Water for Irrigation.

No. of Application :

To

The Irrigation Officer

.....Division,

.....

I.....resident of Village.....Taluk..... District.....make this application for supply of water from ..... canal for the purpose of Irrigation of the land hereinafter described subject to the provisions of Mysore Irrigation Act, 1965, and any other law for the time being in force relating to irrigation and the provisions of Mysore Irrigation Rules, 1965, and subject to the conditions specified on this application to which I agree :—

Name of village	Name of Distributary	Name of Sub-distributary	Outlet No.	Survey No. and Sub-Survey No.	Area of Survey No.
1	2	3	4	5	6

Area of holding	Area to be Irrigated	Crop	Period for which water is required.
7	8	9	10

2. I am the..... .....of the lands for which water has been applied for.

3. The name and address of the applicant to whom the orders on this application should be communicated are..... ...

Signature or left Hand Thumb Impression of the applicant.

Date :—

Signature of witness —

(All the details of the application have to be filled up by the applicant).

Forwarded for sanction as follows :—

(1) Area to be sanctioned (2) Period of sanction
From..... .....
To..... ....

(3) Water rate to be charged Per Acre.....

Dated :

Sanctioned. Signature

Date : Signature

INSTRUCTIONS

1. The application should be submitted in duplicate to the Irrigation Officer or to any Officer authorised by him to receive such applications. It may be sent through a messenger, presented personally, or sent by post.

2. When order is passed, the duplicate form will be returned to the applicant endorsed with the Irrigation Officer's order.

3. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorised on behalf of any of these to receive such sanction.

4. The applicant must state in para 2 of the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

5. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

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CONDITIONS

1. After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the Irrigation Officer, whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Irrigation Officer within one month from the date of sanction of the application that water is not required.

2. Each type of crop (namely, sugarcane, betal leaves, ordinary perennial, two season and seasonal) shall be grown only to the extent of the sanction shown on the pass, but an equal area of any lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any provision of the Mysore Irrigation Act, 1965 or of any rule of the Mysore Irrigation Rules, 1965, or of any of the conditions of this application.

5. Water shall be given for the whole season if available, or at the discretion of the Irrigation Officer, for as many waterings as may be possible.

6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.

7. Water for any area of sugarcane sanctioned is subject to the condition that water is liable to be withheld from new sugarcane area after 31st May, if necessary. Each consecutive watering after 31st May shall require the sanction of the Irrigation Officer. Such sanction shall be

accorded if water is available in the irrigation work for agricultural purpcses but if it is insufficient at any time of the seasons all further waterings may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.

[No. PWD 63 LBW 64]

By Order and in the name of the Governor of Mysore,

CHANDAPPA PATEL, *Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.

GOVERNMENT OF MYSORE

M.CHANNIAPPA,B.E.,AMIE(IND),
Deputy Secretary to Govt.
Public Works Dept.(Irrgn.)

Mysore Government Secretariat,
"VIDHANA SOUDHA"
Bangalore,dated the 18th Decr.65

D.O.No.PWD.63 LEW.64
Encl:Draft Rules.

Dear Sir,

SUB:- The Mysore Irrigation Act, 1965 -
Draft Irrigation Rules.-
publication in Gazette.

I am desired to enclose herewith a draft copy of the Rules proposed to be published in the Special Gazette on Monday the 20th December, 1965, and request you to take immediate needful action in the matter.

In view of urgency I am sending my Superintendent, Sri Basheer Ahmed, along with the letter for taking immediate needful action at your end. 25 copies of the Rules may please be supplied to this Secretariat for reference.

Yours sincerely,

18/12/65

To

Sri M.A.Sri Rama, M.A.,
Director of Printing &
Stationery,
Government Press,
BANGALORE.

DRAFT.

114 (a)

No PWD 63 CBS 64-2 Dated:

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 4 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Chief Engineer for Irrigation as the authority whose previous sanction shall be obtained for construction of any well in any area or areas specified by notification under the said sub-section.

By Order and in the name of
the Governor of Mysore,

31/12/65

Deputy SECRETARY TO GOVERNMENT,
PUBLIC WORKS & ELECTRICITY DEPARTMENT

To

The Compiler, Mysore Gazette, for publication in the Gazette

27/11/65.

Copy to

The C.E. (M) Mysore
The C.E. (SP) Mysore
The C.E. (Investigation) Projects - Mysore
All the ~~Divisional Commrs~~
All the ~~D.C.'s~~
~~All the E.E.~~
All the S.E.s
All the - E.E. of Divs
Mysore Gazette

Umar:2

DRAFT.

115

No. ಪಸಂ 63 ಬೆಅಸ 64-3. Dated:

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 5 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Deputy Commissioners of the Districts for purposes of the said sub-section.

By Order and in the name of
the Governor of Mysore,

31/12/65

Deputy SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELECTRICITY DEPARTMENT.

To The Compiler, Mysore Gazette, for publication in the Gazette.

Umar:z

27/12/65.

Copy li

(T.S) As in draft at page 114 ante.

Draft.

116

No. PWD 63 CBS 64-4 Dated:

NOTIFICATION

In exercise of the powers conferred by section 52 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby empowers the Chief Engineer for Irrigation for purposes of the said section.

By Order and in the name of
the Governor of Mysore,

31/12/65

Deputy SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELECTRICITY DEPARTMENT

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Umar:2

27/11/65.

Copy to be
As min dtd 29 on page 1149
ends

No. PWD 63 CBS 66-S Dated:

NOTIFICATION

In exercise of the powers conferred by section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the officers of the Public Works Department, specified in column (1) of the following Table with the powers and duties of an Irrigation Officer conferred and imposed under the provisions of the said Act, specified in the corresponding entry of column (2) of the said Table.

TABLE

(1)	(2)
Chief Engineer for Irrigation.	Sections 5(2), 6, 46 and 52.
Superintending Engineer in charge of the irrigation work.	Sections 12, 13 and 53, and sections 27, 28, 32 and 49 in respect of major irrigation works.
Executive Engineer in charge of the irrigation work.	Sections 7, 8, 15, 18, 19, 21, 22, 23, 24, 25, 26, 31, 33, 35, 46, 47, 48, 50, 51, 56, 63 and 64, and sections 27, 28, 32 and 49 in respect of irrigation works other than major irrigation works.
Assistant Engineer in charge of the irrigation work.	Section 40.

For purposes of this notification "major irrigation work" means an irrigation work costing more than Rs. five Crs. .....(To be filled-up by the B.W. & El. Dept)

By Order and in the name of the Governor of Mysore,

31/12/65

Deputy SECRETARY TO GOVERNMENT
PUBLIC WORK & ELECTRICITY DEPARTMENT.

Umar:z

To The Compiler, Mysore Gazette, for publication in the Gazette.
Copy to the - As in despatch note 11 & 12

27/12/65.

No. PWD 63 CRS 64-6. Dated.

NOTIFICATION

In exercise of the powers conferred by section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the Officers of the Public Works Department invested with the powers and duties of an Irrigation Officer under section 40 of the said Act with the duty imposed by section 41 of the said Act.

By Order and in the name of the Governor of Mysore,

OMC 21/12/65

Deputy SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELECTRICITY DEPARTMENT.

To The Compiler, Mysore Gazette, for publication in the Gazette

MAG 27/11/65.

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Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (i)

BANGALORE, MONDAY, DECEMBER 20, 1965 (MARGASIRA 29, SAKA ERA 1887). | No. 237

PUBLIC WORKS AND ELECTRICAL SECRETARIAT.

NOTIFICATION.

In exercise of the powers conferred by Section 71 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of the said section in Notification No.PWD.63 LBW 64 dated 18th December, 1965 as G.S.R. 773 in Part IV-2C(i) of the Mysore Gazette dated the 20th December, 1965.

P.T.O

THE MYSORE IRRIGATION RULES, 1965

1. Title—These Rules may be called The Mysore Irrigation Rules, 1965.

2. Definitions.—In these Rules, unless the context otherwise requires.—

(*a*) "Act" means the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965);

(*b*) "Executive Engineer" means an Executive Engineer of the Public Works Department;

(*c*) "Form" means a Form annexed to these rules;

(*d*) "major irrigation work" means an Irrigation Work costing more than rupees five crores;

(*e*) "out-let" means an opening through which water passes from a tank, canal, branch canal, distributary or water course to a field-channel;

(*f*) "section" means a section of the Act;

(*g*) "sectional officer" means an officer of Public Works Department subordinate to Assistant Engineer and of the rank of a Junior Engineer or a Supervisor who is in charge of Irrigation Works.

(*h*) "well" means a structure constructed for the purpose of tapping underground resources of water for the purpose of diversion and collection of surface flow of water.

3. Construction, control and maintenance of irrigation works.—(1) Any person desirous of constructing, controlling or maintaining a reservoir, tank, anicut, bhandara, pond, spring pond, canal, field-channel, talaparige, channel or aqueduct shall make an application for sanction to the State Government through the Executive Engineer having jurisdiction over irrigation works in the area concerned.

(2) Every application received by the Executive Engineer under sub-rule (1) shall as soon as possible after its

receipt, be forwarded by him with his remarks to the State Government.

(3) On receipt of an application under sub-rule (2), the State Government shall, after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

4. Construction of wells in controlled areas.—(1) Any person desirous of constructing a well in any area notified under sub-section (2) of Section 4, shall make an application for sanction through the Executive Engineer having jurisdiction over irrigation works in the area concerned. Such application shall contain particulars regarding the location, purpose and general dimensions of the well.

(2) Every application received by the Executive Engineer under sub-rule (1) shall as soon as possible after its receipt be forwarded by him with his remarks to the State Government or the authority authorised by it under sub-section (2) of Section 4.

(3) On receipt of an application under sub-rule (2), the State Government or the authorised authority shall after giving a reasonable opportunity of being heard to the applicant, pass such orders thereon as it deems fit.

5. Notice to occupier of building, etc.—The notice to an occupier of a building, enclosed court or garden attached to a dwelling house referred to in Section 9, shall be in Form 1.

6. Procedure when person liable to pay expenses fails to make payment.—When a person to whom an order is issued under Section 13 does not pay the expenses as required by the said Section, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount due to be as an arrear of land revenue.

7. Notification under Section 15.—A notification under sub-section (1) of Section 15 shall be in Form 2 and a notification under sub-section (2) of Section 15 shall be in Form 3.

8. Fixation of boundary marks of lands acquired for field-channels.—The boundary marks to be fixed under Section 17 shall be in stones or concrete blocks, of 15.24 cm × 15.24 cm × 76.2 cm × (6" × 6" × 2½') thick, and the said marks shall be fixed at every point where the boundary of the lands for the field channels crosses the survey number or sub-division of a survey number, at every corner of the alignment and at such other points as the Irrigation Officer may deem necessary.

9. Maintenance of boundary marks.—(1) The holder of a survey number or sub-division of a survey number in which boundary marks are fixed shall be bound to maintain the boundary marks in position.

(2) A contravention of sub-rule (1) shall be an offence punishable under Section 55.

10. Procedure for construction of field-channels.—(1) The period within which a field-channel may be constructed under clause (a) of Section 18 or an application may be made under clause (b) of Section 18, shall be sixty days from the date of vesting of the land in the State Government under Section 17.

(2) As soon as may be after the land vests in the State Government under Section 17, the Irrigation Officer shall publish a notice in Form 4 by affixing a copy thereof on the notice board of his office and by causing copies to be affixed in the office of the Tahsildar concerned, in the chavadies of the villages concerned and in such other conspicuous places as he deems fit.

(3) (a) Any person who desires to construct a field-channel at his own cost shall make an application in Form 5 under clause (a) of section 18 to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application, forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(*b*) After the receipt of an application under clause (a), the Irrigation Officer shall after such inquiry as he deems fit, grant permission to construct the field-channel, in Form 6.

(4) (*a*) Any person who desires the construction of a field-channel on his behalf and at his cost under clause (b) of section 18, shall make an application in Form 7 to the Irrigation Officer through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(*b*) On receipt of an application under clause (a), the Irrigation Officer may require the applicant to deposit the whole or any part of the expenses of construction of the field channel by issuing a notice to him in Form 8.

(*c*) On the completion of construction of the field-channel, the Irrigation Officer shall give to the applicant notice thereof and of the sum payable by him on account of the cost of constructing the field-channel in Form 9.

(*d*) If the sum or any portion of the sum specified in the notice is not paid within the period specified in the notice, the Irrigation Officer shall send intimation to the Deputy Commissioner for recovery of the amount as an arrear of land revenue.

11. Declaration by Irrigation Officer that construction of field-channel will be made by the State Government.—(1) Where the persons interested fail to construct or apply for

construction of a field-channel under section 18 within the period prescribed in sub-rule (1) of rule 10, the Irrigation Officer shall by notification in Form 10 make a declaration that such construction will be made by the State Government.

(2) Where a field-channel is constructed in pursuance of a declaration under sub-rule (1), the Irrigation Officer shall intimate the cost of such construction to the Deputy Commissioner and the Deputy Commissioner shall recover the cost of such construction from the holders and occupiers of the lands benefited by such field-channel as an arrear of land revenue.

12. Terms under which water may be used from field-channel.—The terms subject to which every user of a field-channel and every person duly authorised to use a field-channel shall be entitled to have a supply of water by such field-channel shall be as follows:—

(i) a suitable system of water channel shall be maintained in such manner that water required for irrigation of any part of land in a survey number or sub-division of a survey number can be supplied directly from the field-channel;

(ii) water shall not be drawn from the field-channel except from the points fixed by the Irrigation Officer;

(iii) the order in which water shall be supplied to the different lands from the field-channel shall be determined by the Irrigation Officer.

13. Arrangement for use of field-channel by other persons.—(1) An application to the Irrigation Officer for permission to use the field-channel or to be declared a joint user thereof under section 21 shall be made in Form 11 through the Tahsildar of the taluk. The Tahsildar shall as soon as possible after the receipt of the application forward it to the Irrigation Officer along with his remarks as regards the accuracy of the statements made in the application.

(2) On receipt of an application under sub-rule (1), the Irrigation Officer shall send a notice in Form 12 to the person having the right to use the field-channel to show cause why such permission should not be given or such declaration should not be made.

14. **Notice under section 24** (1).—A notice to be issued under sub-section (1) of section 24 shall be in Form 13.

15. **Inquiry under section 25.**—An inquiry to be made under sub-section (1) of section 25 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

16. **Constitution of Consultative Committees under section 27.**— (1) A Consultative Committee in respect of a major irrigation work shall consist of seven official members and eight non-official members, and the Chairman of the Committee shall be a member nominated by the State Government.

(2) The Consultative Committee in respect of an irrigation work other than a major irrigation work shall consist of four official members and five non-official members and the Chairman of the Committee shall be a member nominated by the State Government.

17. **Application for permission to use water from irrigation work.**— An application for permission to use water from an irrigation work under sub-section (1) of section 28 shall be in Form 14.

18. **Competent authority for purposes of section 29.**— The Superintending Engineer in charge of the work shall be the competent authority in respect of a major irrigation work and the Executive Engineer in charge of the work shall be the competent authority in respect of an irrigation work other than a major irrigation works for purposes of clause (a) of section 29.

19. Regulation of cultivation.—(1) An order under sub-section (1) of section 31 shall be published by affixture of a copy of such order on the notice board of the office of the Irrigation Officer and by causing affixture of copies of such order on the notice board of the office of the Tahsildar of the taluk and in the chavadies of the villages concerned.

(2) The Irrigation Officer shall determine the areas or lands or portions of the wet lands in the irrigable area of an irrigation work to be cultivated with any crop or crops specified in sub-section (1) of section 31 in any year, within two months before the commencement of sowing operations for the cultivation of such crop or crops.

20. Preparation of list of able-bodied persons who may be required for urgent works, repairs, etc.—(1) The Tahsildar of the taluk shall, from time to time, cause a list to be prepared of the able-bodied persons who reside or hold land in or near the locality where any irrigation work exists, who can be called upon to assist in the execution of any work, repair or clearance under sub-section (1) of section 40.

(2) A copy of the list so prepared shall be affixed on the notice board of the office of the Tahsildar and in the chavadi of the village concerned.

21. Inquiry under section 43.—The inquiry to be made under the second proviso to section 43 shall be a formal inquiry in accordance with the provisions of Chapter III of the Mysore Land Revenue Act, 1964.

22. Manner of payment of maintenance cess to Tungabhadra Board, etc.—The amount collected as maintenance cess on lands benefited by any irrigation work maintained by the Tungabhadra Board, the Taluk Development Board or any other authority shall after the financial year in which the collection is made, be paid to the Tungabhadra Board, the Taluk Development Board or other authority concerned in the form of grants by orders made by the State Government.

23. Passing of persons, animals or vehicles in or across canals.—(1) No person shall pass, or cause any animal or vehicle to pass in or across the bank, or channel of any irrigation work at any place except at a place fixed by the Executive Engineer. A notice Board shall be caused to be erected at the place so fixed by the Executive Engineer.

(2) In fixing places under sub-rule (1), the Executive Engineer shall have due regard to the reasonable convenience of the persons residing or holding lands in the vicinity who may have to cross the canal or provide water for their animals.

(3) A contravention of sub-rule (1), shall be an offence punishable under section 55.

24. Repeal and saving.—All rules corresponding to the foregoing rules continued in force by virtue of sub-section (1) of section 72 of the Act are hereby repealed; provided that the said repeal shall not affect the previous operation of the said rules and the provisions of section 6 of the Mysore General Clauses Act, 1899, shall be applicable as if the said rules had been repealed by a Mysore Act.

FORM 1

(See rule 1)

Notice of entry in to Building or enclosed Court or Garden attached to Dwelling House under Section 6, 7 or 8 of Mysore Irrigation Act, 1965.

To

.....

.....

I,.....Irrigation Officer,.....hereby give notice that it is proposed to enter into the building/enclosed court/ garden attached to dwelling house in survey No.....of..... Village .....Taluk..... .....District which is in your occupation for the purpose of.....at.....on..... .....

I request you to allow any person acting on my behalf and under my orders to (here enter the purpose).....

Irrigation Officer,

....

FORM 2

NOTIFICATION.

Notification Under Section 15 (1) of the Mysore Irrigation Act, 1965.

Whereas, I,..... Irrigation Officer,..... am satisfied that the construction of field channels for the lands specified in the Schedule hereto is necessary in public interest for supply of water to lands requiring such supply for purposes of cultivation from outlet No.....at Chainage.....of Distributary/Sub-Distributary.....

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,....., Irrigation Officer,.....hereby declare that the field channels may be constructed for this area after.. ....

SCHEDULE OF LANDS FOR WHICH FIELD CHANNELS ARE NECESSARY.

Name of District	Taluk	Name of Village	Survey No.	Area likely to be Irrigated
1	2	3	4	5

Irrigation Officer,
.....Division.

To

The compiler *Mysore Gazette*, for publication in the *Mysore Gazette*, dated .....19 .

FORM 3.

Notification under Section 15 (2) of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas in my opinion, it is necessary to occupy the lands specified in the Schedule hereto for construction of field channels under outlet No..... .....at Chain.....of Distributary/Sub-Distributary... ....for purpose of supply of water to lands requiring such supply for purposes of cultivation, and such lands have been marked out.

NOW THEREFORE, in exercise of the powers conferred on me by sub-section 2) of Section 15 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) I..... ....., Irrigation Officer,.....hereby declare that the said lands have been marked out for the construction of field channels.

SCHEDULE.

Sl. No.	Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area marked out for construction of field channels.
1	2	3	4	5	6

Irrigation Office.
.....Division.

Copy to :—1. The Tahsildar.. ...Taluk for information and Publication in every village through which the field channel passes in accordance with section 15 (3) of the Act.

2. The Assistant Engineer.....Sub Division.
3. The Deputy Commissioner.....District.
4. The Superintending Engineer.....Circle.
5. Notice Board.

FORM 4.

Notification under Section 26 of the Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas lands required for construction of field channels from outlet No.....of Distributary/Sub-Distributary have been acquired by the State Government, notice is hereby given that persons whose lands would be benefited by the construction of field channels should take action under Section 18 (*a*) or 18 (*b*) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) before....., for construction of a field channel or by applying for construction of a field channel.

It is further notified that if no action is taken as aforesaid before the date specified, declaration will be made under sub-section (1) of Section 26 of the Act that the construction of the field channels will be made by the State Government.

Irrigation Officer,
.....Division.

APPENDIX IV

FORM 5.

Application under Section 18 (a) of the Mysore Irrigation Act, 1965.

The Irrigation Officer,

....

Through: The Tahsildar.....Taluk.

I Sri/Smt..... resident of ..... Village....., ...
aluk.....District hereby make this application for permission
construct the field channel/channels under Section 18 (a) of the
ysore Irrigation Act, 1965, and the rules made thereunder. The details
the field channel/channels to be constructed are as follows :—

Name of Village	Distributary No.	Water course No.	Outlet No.	Area of survey No.	Sub-survey No.	Location of the area under application indicated by survey Nos. of lands at all boundaries.	The Survey No. through which the field channel has to pass from outlet point to the land for which application is submitted.
1	2	3	4	5	6	7	8

I am.....of the land for which this application is sent.

I agree to abide by all the conditions under which the permission is granted.

The name and address of the applicant to whom the orders on this application may be delivered are.....

Dated :

Signature or left Hand Thumb
Impression of the Applicant.

1. Signature and Address
of witness.
2. Signature and Address
of witness.

To be filled in by the Tahsildar.

Forwarded to the Irrigation Officer,.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is..... .....of the land for which field channel is to be constructed.

Tahsildar,
.....Taluk.

FORM (

.....Permission to Construct Field Channel under Section 18(a) of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer
..... Division.

To

.. ..

Sir,

Sub :—Permission to construct field channel for survey No.....
....of..... .....village..... .....
Taluk..... .....District.

Ref :—Your application dated.....

Permission is granted to you to construct a field channel for survey No.....of.....village.....Taluk ... .District, subject to the following conditions, namely :—

(1) The field channel may be constructed under the general technical guidance of the Sectional Officer.....Section ;

(2) The construction of the field channel shall be according to the plan, alignment and section as approved by the Assistant Engineer..... .....Sub Division.

(3) The applicant shall construct all the masonry works as may be required, such as drops, crossings and central points according to the plans approved by the Irrigation Officer and according to the standard specifications of the Public Works Department.

(4) Boundary marks of the land of the field channel shall not be disturbed.

(5) (The Irrigation Officer may impose.

(6) such other conditions as may be necessary in the light.

(7) of the local conditions.)

Irrigation Officer,
.....Division.

Copy to :—

1. The Assistant Engineer..... Sub-Division.
2. The Tahsildar..... Taluk.
3. Deputy Commissioner..... District.

APPENDIX II.

FORM 7

Application for Construction of Field Channel by the State Government at the cost of beneficiary under Section 18 (b) of the Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

.....Division.

Through the Tahsildar.....Taluk.

Sir,

I, Sri/Smt. ..... resident of..... Village.....Taluk.....District hereby apply under Section 18 (a) of Mysore Irrigation Act, 1965, that:—

(i) You may take on my behalf and at my cost all action that may be necessary to construct the field-channel/channels for the lands the details of which are :—

Name of District.	Name of Taluk.	Name of Village.	Survey No.	Area of survey No.	Sub-Survey No.	Area of Sub-Survey No.	Area to be irrigated.	Survey Nos. through which alignment of field channel passes from outlet point to area to be irrigated.
1	2	3	4	5	6	7	8	9

(ii) I am ready to defray all the expenses necessary on such construction.

(iii) I agree to deposit, when called upon to do so, the whole or part of expenses.

I am.....of the land for which this application is made.

The name and the address of the applicant to whom the orders on this application may be delivered are :—

Signature or Left Hand Thumb
Impression of Applicant.

1. Signature and Address of witness.
2. Signature and Address of witness.

To be filled in by the Tahsildar.

Forwarded to the Irrigation Officer.....Division.

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the applicant is.....of the land for which this application is mad

Tahsildar,
.....Taluk.

APPENDIX VII

FORM 8

Notice Requiring Deposit under Section 19 (1)

Office of the Irrigation Officer,
.....Division.

To

Sri/Smt.....

Ref:—His/her application, dated.....

You are required to deposit at Government Treasury.....a sum of Rs.....being part/full cost of constructing the field channel/ channels. The amount may be credited to fund head.....The Challan for having deposited the amount in duplicate should be sent to the undersigned, within fifteen days from the date of receipt of this letter.

Irrigation Officer
.....Division.

Copy to: 1. The Tahsildar.....Taluk.
2. The Assistant Engineer,.....Sub-Division.

APPENDIX VIII

FORM 9

Notice under Section 19 (1) of the Act.

Office of the Irrigation Officer
.....Division.

Sri/Smt.....

....

Ref :—Your application dated.....

Sir,

The construction of field channel/channels for Survey No.....
Sub-Survey No.....of.....Village.....Taluk.....
District applied for by you in your application dated..... ....
Taluk has been completed.

The total expenses incurred for the construction is Rs... ....
The amount due to Government in this connection is Rs.....
after deducting the amount of Rs..... .. .. deposited by you
towards the cost of the construction.

You are requested to deposit the balance of the amount due namely
Rs.....within thirty days from the date of receipt of
this letter.

It may be noted that in default of the payment of the aforesaid amount within the period specified above, it will be recovered as arrears of land revenue.

Yours faithfully,

Irrigation Officer,
.....Division

Copy to : 1. The Tahsildar.....Taluk
2. Deputy Commissioner.....District.
3. Assistant Engineer.....Sub-Division.

APPENDIX XIII

FORM 10

Notification under Section 26 of Mysore Irrigation Act, 1965.

NOTIFICATION.

Whereas no action has been taken under Section 18 (a) or 18 (b) of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), for the construction of a field channel in respect of survey No..... ..... of.....village..... .....Taluk.....District;

Now, therefore, in exercise of the power vested in me under Section 26 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), I,.....Irrigation Officer,..... hereby notify that the said field channel will be constructed by State Government after ....(here specify the date).

Cost incurred in constructing the said field channel will be recovered as arrears of Land Revenue from the holder/occupier of the lands benefited by such field channel.

Irrigation Officer,
.....Division.

APPENDIX IX

FORM 11.

Application for supply of water through a field channel of which the applicant has not acquired the right to use under Section 21 of Mysore Irrigation Act, 1965.

To

The Irrigation Officer,

.....

Through the Tahsildar.....Taluk.

Sir,

I, Sri/Smt..... resident of.....village..... Taluk.....District apply for supply of water from the field channel/channels of which I have not acquired any right so far for use and I may be accorded permission to use the field channel/channels or/ be declared as joint user of the field channel/channels under Section 21 of the Mysore Irrigation Act, 1965, and the rules made thereunder.

Yours faithfully,

Applicant.

District	Taluk	Name of village	Distributary No.	Water Course No.	Outlet No.
1	2	3	4	5	6

Sub-Survey No.	Survey Nos. through which the field channel passes from outlet to this Survey No.
7	8

I am .....of the land for which application is sent.

I am willing to pay the cost thereof as may be fixed by you.

The name and address of the party to whom the order on this application may be delivered are.....

Signature or Left Hand Thumb Impression

Dated.— of the applicant.

(1) Signature and Address of witness.

(2) Signature and address of witness.

To be filled by the Tahsildar.—

I certify that the statements relating to the lands mentioned in the application have been verified by me and I am satisfied that the application is.....of the land.

Tahsildar,

.....Taluk.

APPENDIX X.

FORM 12.

Notice under Section 22 of Mysore Irrigation Act, 1965.

Office of the Irrigation Officer,
.....Division.

To

Shri/Smt.....

Sir,

Whereas Sri/Smt.....beneficiary of Survey No.....of.....village.....Taluk..... District, has applied for permission to use the field channel No..... or to be declared as the joint user thereof;

Now, therefore in exercise of the power vested in me under Section 22 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965) I,..... .....Irrigation Officer,.....hereby serve notice on you to show cause in writing within thirty days from the date of service of this notice why such permission should not be accorded or such declaration should not be made.

Irrigation Officer,
.....Division.

Copy to the Tahsildar.....Taluk

APPENDIX XI.

FORM 18.

Notice under Section 24 (1).

Office of the Irrigation Officer
.....Division.

To

Shri/Smt.....

Whereas it has come to my notice that you have failed to fulfil the obligation imposed by clause (a) of sub-section (1) of Section 20 of Mysore Irrigation Act, 1965, to maintain the field channel or channels under outlet No.....at chain.....of Distributary/Sub-distributary Watercourse No.....in a fit state of repair ;

Now, therefore, in exercise of the power vested in me under Section 24 (1) of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), I,.....Irrigation Officer,.....direct you to execute the necessary repair works within .....days, failing which the same will be executed by me and all expenses incurred in the execution of such repair will be recoverable from you as arrears of land revenue.

Irrigation Officer,
.....Division.

Copy to the Assistant Engineer.

APPENDIX XIV.

FORM 14.

Application for Water for Irrigation.

No. of Application :

To

The Irrigation Officer,

.....Division,

.....

I.....resident of Village.....Taluk..... District.....make this application for supply of water from ..... canal for the purpose of Irrigation of the land hereinafter described subject to the provisions of Mysore Irrigation Act, 1965, and any other law for the time being in force relating to irrigation and the provisions of Mysore Irrigation Rules, 1965, and subject to the conditions specified on this application to which I agree :—

Name of village	Name of Distributary	Name of Sub-distributary	Outlet No.	Survey No. and Sub-Survey No.	Area of Survey No.
1	2	3	4	5	6

Area of holding	Area to be Irrigated	Crop	Period for which water is required.
7	8	9	10

2. I am the..... .....of the lands for which water has been applied for.

3. The name and address of the applicant to whom the orders on this application should be communicated are.....

Signature or left Hand Thumb Impression of the applicant.

Date :—

Signature of witness :—

(All the details of the application have to be filled up by the applicant).

Ext. 237

Forwarded for sanction as follows :—

(1) Area to be sanctioned

(2) Period of sanction
From... ....
To.....·····... ... .

(3) Water rate to be charged Per Acre.....

Dated :

Sanctioned. Signature

Date : Signature

INSTRUCTIONS

1. The application should be submitted in duplicate to the Irrigation Officer or to any Officer authorised by him to receive such applications. It may be sent thrcugh a messenger, presented personally, or sent by post.

2. When order is passed, the duplicate form will be returned to the applicant endorsed with the Irrigation Officer's order.

3. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorised on behalf of anv of these to receive such sanction.

4. The applicant must state in para 2 of the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

5. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

CONDITIONS

1. After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the Irrigation Officer, whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Irrigation Officer within one month from the date of sanction of the application that water is not required.

2. Each type of crop (namely, sugarcane, betel leaves, ordinary perennial, two season and seasonal) shall be grown only to the extent of the sanction shown on the pass, but an equal area of any lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any provision of the Mysore Irrigation Act, 1965 or of any rule of the Mysore Irrigation Rules, 1965, or of any of the conditions of this application.

5. Water shall be given for the whole season if available, or at the discretion of the Irrigation Officer, for as many waterings as may be possible.

6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.

7. Water for any area of sugarcane sanctioned is subject to the condition that water is liable to be withheld from new sugarcane area after 31st May, if necessary. Each consecutive watering after 31st May shall require the sanction of the Irrigation Officer. Such sanction shall be

accorded if water is available in the irrigation work for agricultural purposes but if it is insufficient at any time of the seasons all further waterings may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.

[No. PWD 63 LBW 64]

By Order and in the name of the Governor of Mysore,

CHANDAPPA PATEL, *Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Bhma.

M.CHANNAPPA, B.E.,A.M.I.E.(IND),
Deputy Secretary to Government,
Public Works Department(Irrgn.).

Mysore Government Secretariat,
"VIDHANA SOUDHA"
Bangalore, dated 31st Decr.1965

D.O.No.PWD. 63 LBW 64.

Dear Sir,

SUB:- The Mysore Irrigation Act 1965 -
Rules and the Notification thereor.

Kindly see the Notification No.PWD.87 LBW 65 dated 31.12.1965 (copy enclosed) wherein it is notified that the Irrigation Act will come into force with effect from 1st day of January,1966.

As a pre-requisite the rules under the act as finally notified along with other *marginally noted notifications dated 31st December, 1965, (copy enclosed) have to be published, hence I am desired to request you to kindly cause publication of the final rules and other notifications in an extraordinary Gazette dated-31.12.1965 and oblige. 50 copies of the each Notification and 200 copies of the Irrigation Rules may please be supplied to this Secretariat.

1) PWD 63 LBW64-2 dated 31-12-1965
2) PWD 63LBW64-3 date 31-12-1965
3) PWD 63LBW64-4 date 31-12-1965
4) PWD 63LBW64-5 date 31-12-1965
5) PWD 63LBW64-6 date 31-12-1965

Yours sincerely,

31/XII/65

To

Sri M.A.Sri Ram,M.A.,
Director of Printing & Stationery,
Government Press,
BANGALORE.

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA
BANGALORE, DATED: 31st Decr.65

No.PWD 63 LBW 64-2.

NOTIFICATION

In exercise of the powers conferred by Sub-Section(2) of Section 4 of the Mysore Irrigation Act, 1965(Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Chief Engineer for Irrigation as the authority whose previous sanction shall be obtained for construction of any well in any area or areas specified by notification under the said sub-section.

By Order and in the name of
the Governor of Mysore.

M Channappa 31/12/65.
(M.Channappa)
Dy.Secretary to Government,
P.W.D(Irrigation).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

ISSUED
Dated 31/12/65

Copy to:-

The Chief Engineer(General), Bangalore.
The Chief Engineer, Irrign. Projects, Bangalore.
The Chief Engineer(Investigation of Projects), Bangalore.
All the Divisional Commissioners.
All the Deputy Commissioners.
All the Superintending Engineers.
All the Executive Engineers of Divisions.
Weekly Gazette.

ACA/

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
'VIDHANA SOUDHA'
BANGALORE, DATED: 31st Dec. 65

No.PWD 63 LBW 64-2.

NOTIFICATION

In exercise of the powers conferred by Sub-section(2) of Section 4 of the Mysore Irrigtion Act, 1965(Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Chief Engineer for Irrigation as the authority whose previous sanction shall be obtained for construction of any well in any area or areas specified by notification under the said sub-section.

By Order and in the name of
the Governor of Mysore.

M Channappa 31/12/65.
(M.Channappa)
Dy.Secretary to Government,
P.W.D(Irrigation).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

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The Chief Engineer(General), Bangalore.
The Chief Engineer, Irrign. Projects, Bangalore.
The Chief Engineer(Investigation of Projects), Bangalore.
All the Divisional Commissioners.
All the Deputy Commissioners.
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All the Executive Engineers of Divisions.
Weekly Gazette.

ACA/

GOVERNMENT OF MYSORE

MYSORE GOVT. SECRETARIAT,
'VIDHANA SOUDHA'
BANGALORE, DT:31st Dec.65.

No.PWD 63 LBW 64-3.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 5 of the Mysore Irrigation Act 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Deputy Commissioners of the Districts for purposes of the said sub-section.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M. Chennappa 31/12/65
(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
P.W.D. (IRRIGATION).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

ISSUED
Dated: 31/12/65

Copy to:-

The Chief Engineer(General), Bangalore.
The Chief Engineer(Irrigation Projects), Bangalore.
The Chief Engineer(Investigation of Projects), B'lore.
All the Divisional Commissioners.
All the Deputy Commissioners.
All the Superintending Engineers.
All the Executive Engineers of Divisions.
Weekly Gazette.

ACA/

GOVERNMENT OF MYSORE

MYSORE GOVT. SECRETARIAT,
VIDHANA SOUDHA
BANGALORE, DT:31st Dec.65.

No.PWD 63 LBW 64-3.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 5 of the Mysore Irrigation Act 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby authorises the Deputy Commissioners of the Districts for purposes of the said sub-section.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M. Chennappa 31/12/65

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
P.W.D. (IRRIGATION).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:-

The Chief Engineer(General), Bangalore.
The Chief Engineer(Irrigation Projects), Bangalore.
The Chief Engineer(Investigation of Projects), B'lore.
All The Divisional Commissioners.
All the Deputy Commissioners.
All the Superintending Engineers.
All the Executive Engineers of Divisions.
Weekly Gazette.

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GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,
BANGALORE, DATED: 31st Decr. 65.

No. PWD 63 LBW 64-4.

NOTIFICATION

In exercise of the powers conferred by section 52 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby empowers the Chief Engineers for Irrigation for purposes of the said section.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE

M Channappa 31/12/65

(M. CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
P.W.D. (IRRIGATION).

ISSUED
Dated: 31/12/65

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:-

The Chief Engineer (General), Bangalore.
The Chief Engineer, Irrigation Projects, Bangalore.
The Chief Engineer (Investigation of Projects), Bangalore.
All the Divisional Commissioners.
All the Deputy Commissioners.
All the Superintending Engineers.
All the Executive Engineers of Divisions.
Weekly Gazette.

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GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,
BANGALORE, DATED: 31st Decr. 65.

No. PWD 63 LBW 64-4.

NOTIFICATION

In exercise of the powers conferred by section 52 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby empowers the Chief Engineers for Irrigation for purposes of the said section

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE

M Channappa 31/12/65
(M. CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
P.W.D. (IRRIGATION).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:-

The Chief Engineer (General), Bangalore.
The Chief Engineer, Irrigation Projects, Bangalore.
The Chief Engineer (Investigation of Projects), Bangalore.
All the Divisional Commissioners.
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Weekly Gazette.

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GOVERNMENT OF MYSORE.

MYSORE GOVERNMENT SECRETARIAT,
'VIDHANA SOUDHA'
BANGALORE, DT:31st December 65.

No.PWD 63 LBW 64-5.

NOTIFICATION

In exercise of the powers conferred by Section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the officers of the Public Works Department, specified in column(1) of the following Table with the powers and duties of an Irrigation Officer conferred and imposed under the provisions of the said Act, specified in the corresponding entry of column (2) of the said Table.

TABLE

(1)	(2)
Chief Engineer for Irrigation.	Sections 5(2), 6,46 and 52.
Superintending Engineer in charge of the Irrign. work.	Sections 12,13 and 53 and sections 27,28,32 and 49 in respect of major irrign. works.
Executive Engineer in charge of the irrigation work.	Sections 7,8,15,18,19,21,22,23, 24,25,26,31,33,35,46,47,48, 50,51,56,63 and 64, and sections 27,28,32 and 49 in respect of irrigation works other than major irrigation works.
Assistant Engineer in charge of the irrigation work.	Section 40.

ISSUED
31/12/65

For purposes of this notification "major irrigation work" means an Inrigation work costing more than Rs.five crores.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE.

M Channappa 31/12/65
(M.Channappa)
DY.SECRETARY TO GOVT., P.W.D. (IRRIGATION).

To
The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:- The Chief Engineer(General), Bangalore.

p.t.o.

3.The Chief Engineer, Irrigation Projects, Bangalore.

3.The Chief Engineer(Investigation of Projects), Bangalore.

4.All the Divisional Commissioners.

5.All the Deputy Commissioners.

6.All the Superintending Engineers.

8.All the Executive Engineers of Divisions.

X8. Weekly Gazette.

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GOVERNMENT OF MYSORE.

MYSORE GOVERNMENT SECRETARIAT,
'VIDHANA SOUDHA'
BANGALORE, DT:31st December 65.

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TABLE

(1)	(2)
Chief Engineer for Irrigation.	Sections 5(2), 6,46 and 52.
Superintending Engineer in charge of the Irrign. work.	Sections 12,13 and 55 and sections 27,28,32 and 49 in respect of major irrign. works.
Executive Engineer in charge of the irrigation work.	Sections 7,8,15,18,19,21,22,23, 24,25,26,31,33,35,46,47,48, 50,51,56,63 and 64, and sections 27,28,32 and 49 in respect of irrigation works other than major irrigation works.
Assistant Engineer in charge of the irrigation work.	Section 40.

For purposes of this notification "major irrigation work" means an Irrigation work costing more than Rs.five crores.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE.

M Channappa 31/12/65

(M.Channappa)
DEPY.SECRETARY TO GOVT., P.W.D. (IRRIGATION).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:- The Chief Engineer(General), Bangalore.

p.t.o.

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3.The Chief Engineer(Investigation of Projects), Bangalore.

4.All the Divisional Commissioners.

5.All the Deputy Commissioners.

6.All the Superintending Engineers.

7.All the Executive Engineers of Divisions.

8.Weekly Gazette.

ACA /

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETT.,
'VIDHANA SOUDHA'
BANGALORE, DT: 31st Decr.65

No.P.D 63 LBW 64-5.

NOTIFICATION

In exercise of the powers conferred by section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the officers of the Public Works Department invested with the powers and duties of an Irrigation Officer under Section 4o of the said Act with the duty imposed by section 41 of the Said Act.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M Channappa 31/12/65
(M.CHANNAPPA)
DY. SECRETARY TO GOVERNMENT,
P.W.D.(IRRIGN.).

ISSUED
Dated 31/12/65

To

The Compiler, Mysore Gazette, for publication in the Gazette.

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The Chief Engineer, Irrign. Projects., Bangalore.
The Chief Engineer(Investigation of Projects), Bangalore.
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Weekly Gazette.

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETT.,
'VIDHANA SOUDHA'
BANGALORE, DT: 31st Decr.65

No.PWD 63 LBW 64-5.

NOTIFICATION

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BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M Channappa 31/12/65
(M.CHANNAPPA)
DY.SECRETARY TO GOVERNMENT,
P.W.D.(IRRIGN.).

To

The Compiler, Mysore Gazette, for publication in the Gazette.

Copy to:-

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The Chief Engineer, Irrign. Projects., Bangalore.
The Chief Engineer(Investigation of Projects), Bangalore.
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All the Deputy Commissioners.
All the Superintending Engineers.
All the Executive Engineers of Divisions.
Weekly Gazette.

ACA/

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GOVERNMENT OF MYSORE

OFFICE OF THE
DIVISIONAL COMMISSIONER,
GULBARGA.

No. REV/3509/IRR/65-66

Dated 13-1-66

To

The Secretary to the Government of Mysore
P.W.D. Bangalore.

Subject: The Mysore Irrigation Rules 1965, published in the extraordinary Gazette Dated:-29-11-1965.

Reference:

Sir.

With reference to your D.O.letter No.63|LBW 64 dated:-1-12-1965 on the above subject, I write to state that the irrigation works, except the T.B.P. area, have since been transferred to Public Works Department. The draft rules invest the authorities of Public Works - Department, with powers under the relevant provisions of the Act. As such there are no remarks to be offered from this office.

Yours faithfully,

M. L. Rao
15.1.66

For Divisional Commissioner,
G u l b a r g a.

M.H/*

19/1/66

160 :

Shri B.C.Angadi,
B.L., D.I.C.(Lond.),
A.M.I.E.(India),
Superintending Engineer,
Ghataprabha Project Circle,
Hidkal Camp.

D.O.No.IRN/CB/20238-39

Office of the
Superintending Engineer, G.P.C.
Hidkal Camp:
22 JAN 1966

Subject :- Mysore Irrigation Act 1965 (Mysore Act 16 of 1965) Supply of copies of the -

Reference:- i) Govt. letter No.PWD 63 LBW 64-2 dt.31-12-65.

ii) -do- No.PWD 63 LBW-64-3 dt.31-12-65

iii) -do- No.PWD 63 LBW 64-4 dt.31-12-65

iv) Government Notification No.PWD 63 LBW 64-5 dt.31-12-65.

v) Govt. Notification No.PWD 63-LBW-64-6 dt.31-12-65.

vi) Govt. Notification No.PWD 61- LBW-65 dt.31-12-65.

...

Dear Shri Channappa,

Copies of the Mysore Irrigation Act - 1965 (Mysore Act 16 of 1965) have not been received in this office. I request you kindly to arrange to supply Ten (10) copies of the said Act for use in this Circle.

Yours sincerely,

(B.C.Angadi), 21.1.66

To

Shri L.Channappa,
B.L.,
Ly. Secretary to Government,
P.W.D., Vidhana Soudha,
Bangalore.

Rsm/20.1.

....

Copy forwarded to the Compiler of Mysore Gazette, Bangalore, with a request to supply ten copies of the Mysore Irrigation Act 1965 (Mysore Act 16 of 1965 for use in this Circle.

....